JOURNAL

OF THE

KENTUCKY SENATE

REGULAR 1932 SESSION

VOL. II.

Held in the State Capitol, Frankfort, Ky., in the year of our Lord, one thousand nine hundred and thirty-two, in the year of the Commonwealth, one hundred and fiftieth

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This session began the fifth day of January, 1932, and closed the seventeenth day of March, 1932

OSCAR WICKER, Chief Clerk.
BYRON H. ROYSTER, Assistant Clerk.

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MONDAY, FEBRUARY 8, 1932.

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by Dr. Wise of the First Presbyterian Church of Frankfort.

The roll of the Senate was called and the following Senators answered to their names:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Senator Stewart moved that Miss Linnie Mason Franklin, three-year-old daughter of Senator and Mrs. Chas. G. Franklin, be made honorary page.

Said motion was agreed to.

Senator Gates F. Young moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Gates F. Young moved that the privileges of the floor be extended to Mr. and Mrs. C. E. Field and Mr. E. J. Greenwell of Owensboro.

Said motion was agreed to.

Senator Booles moved that the privileges of the floor be extended to Mr. Bohon and Mr. Miller of Mercer County.

Said motion was agreed to.

Senator Van Hoose moved that the privileges of the floor be extended to Prof. Arvill Wheeler, Messrs. Howard Frail, Rev. Rounds and John Preston.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Mr. Fred Applegate.

Said motion was agreed to.

Senator Royster moved that the privileges of the floor be extended to Messrs. James E. Manion and D. A. Howard of Henderson.

Said motion was agreed to.

Senator Mehler moved that the privileges of the floor be extended to Mrs. Gertrude Nealy of Louisville.

Said motion was agreed to.

Senator Humphreys moved that the privileges of the floor be extended to Miss Mary E. Bennett of Princeton and Messrs. W. F. McMurray and E. J. Stahr of Fulton.

Said motion was agreed to.

A message was received from the House of Representa-

tives announcing that they had concurred in bills of the following titles:

S. B. 16. An Act to amend Section 2740, Kentucky Statutes by Carroll, Official 1930 Edition, also Chapter 89 of the Acts of the General Assembly of Kentucky of 1930 relating to classification of the cities and towns of the State so as to change the city of Greenville, Muhlenberg County, from a city of the fifth class to a city of the fourth class.

S. B. 5. An Act relating to roads and bridges and establishing as a part of the State primary highway system a road leading from Smithland, Livingston County, Kentucky, to Madisonville, Kentucky, to be known hereafter as the Ruby Laffoon Trail and designating same.

S. B. 22. An Act to establish as a part of the primary road system of the Commonwealth of Kentucky a road in Bracken County, beginning at a point in State Highway No. 10 in the village of Lenoxburg via of the existing public road to the village of Foster.

S. B. 44. An Act to add a road to the primary road system of the Commonwealth of Kentucky.

S. B. 53. An Act establishing as a part of the primary system of state highways of the Commonwealth of Kentucky, a road located in Muhlenberg County, Kentucky, and beginning at Greenville, and running westwardly with the old Greenville and Madisonville Road, to Project No. 238, between Earles and Midland, thence to Millport, connecting with Project No. 247.

S. B. 63. An Act establishing as a part of the highway system of highways of the Commonwealth of Kentucky, a road beginning at Waterview, Cumberland County, and leading to Black's Ferry, Monroe County, via Cloyd's Landing.

S. B. 65. An Act to establish a primary road project from

U. S. Route No. 23 at the junction of the Van Lear Road in Johnson County to the corporate limits of the town of Van Lear.

S. B. 74. An Act establishing a state road project leading from Carroll up Six Mile Creek in Henry County, Kentucky, to intersect with the Gest-Harpers Ferry State Road No. 37 turnpike.

S. B. 73. An Act establishing a state primary road project leading from a point at Gest to State Highway No. 37 near the Gusta Clements farm via of Harpers Ferry in Henry County.

S. B. 75. An Act to establish a state primary road project leading from Lockport in Henry County by the mouth of Pot Ripple to Gest and Monterey in Owen County.

S. B. 76. An Act establishing a state primary road project leading from a point in the New Castle-Port Royal State road about two miles south of Port Royal, thence following the county road thence by Turners Station to State Road 55 near overhead bridge at Campbellsburg.

S. B. 77. An Act establishing a State primary road project leading from the mouth of Drennon to New Castle State road near Drennon Springs, thence by way of Franklinton and Clubb Lane to State Highway No. 22 in Henry County.

S. B. 78. An Act establishing a State primary road project leading from a point in the Campbellsburg-Bedford State Road No. 37 about two and one-half miles from Campbellsburg at the Joe Campbell and Will Clark property in Henry County, thence following the county road down Campbell branch to State road from Sulphur to New Castle at Sulphur.

S. B. 88. An Act creating and establishing as a part of the primary road system of highways of the State of Kentucky

a road running from Pellyton in Adair County to a point intersecting with the State highway leading from Liberty to Campbellsville at or near Price's shop, said road to be designated by the State Highway Department with an appropriate project number.

S. B. 104. An Act to establish a primary road project from the mouth of Emily Creek in Martin County, thence up Emily Creek to the mouth of Copers Mine, thence up Copers Mine and across the hill to Lick Branch to the Pike County line on the waters of Big Creek.

S. B. 105. An Act to establish a primary road project from the mouth of Wolf Creek in Martin County on the Garrett Highway to the Pike County line connecting with the Pikeville-Williamson Road.

S. B. 122. An Act to add to the State primary system a road from Dycusburg, Crittenden County, to Fredonia, Caldwell County, Kentucky.

S. B. 123. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1920, relating to roads and bridges, by establishing and adding thereto a road from Joy, Livingston County, Kentucky, on what is now State Project No. 124 to Carrsville, Livingston County, Kentucky, a distance of about three miles, to the Ohio River, there connecting the State Highways of Kentucky with the State Highway System of the State of Illinois on Project No. —, thence to Elizabethtown, Ill., the county seat of Hardin County, Illinois.

S. B. 129. An Act to establish as a part of the primary system of State highways of the Commonwealth of Kentucky a road running from Booneville in Owsley County to Campton, in Wolfe County, via Tallega and Fillmore in Lee County, and crossing the North Fork of the Kentucky River at the mouth of Rock Lick Creek in Breathitt County.

S. B. 159. An Act to add to the State primary highway

system a road from State primary project No. — in Livingston County to the Lyon County line in Crittenden County.

S. B. 167. An Act to establish as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road leading from State Highway No. 58 where the Mayfield and Kirksey road intersects said highway in Graves County, Kentucky, and running thence to a point at or near Liberty Church; thence by way of Kirksey, Calloway County, Kentucky, to Murray, Calloway County, Kentucky, and designated as Project No. —.

A message was received from the House of Representatives announcing that they had adopted House Resolution 40, instructing the President of the Senate and Speaker of House of Representatives to appoint a committee to arrange the bill for redistricting state congressional.

Said resolution reads as follows:

Whereas, nearly half of the constitutional limitation upon the present session of the General Assembly has expired, and

Whereas, it will require as much as fifteen days of its time to redistrict the State into Congressional Districts under the Federal census of 1930; and

Whereas, it is important and will be of inestimable benefit for the members of the General Assembly to be readily informed as to the necessary facts for the enactment of a proper redistricting statute, such as the census of each county in the State, and other facts of like importance.

Now, Therefore Be It Resolved, that the President of the Senate appoint four of its members on a committee to be associated with six members of the House to be appointed by its Speaker, and the ten members so appointed to form a joint committee with power, authority and directions to obtain and arrange for ready access of the facts necessary to a proper

redistricting of the State for the purpose stated, and the committee may, if it sees proper, draft a tentative bill as a basis for such redistricting, and have all of such facts and work that may be done hereunder ready by the expiration of forty-five days allotted to the session.

It was ordered that said resolution be referred to the Committee on Kentucky Statutes No. 1.

A message was received from the House of Representatives announcing that they had passed bills of the following titles:

H. B. 143. An Act relating to issuing bonds by counties, having cities of the second class and by cities of the second class and school boards of cities of the second class in the Commonwealth of Kentucky and prohibiting the issuing of bonds for any purpose whatsoever by city school boards and counties having cities of the second class therein, except to refund old bonds for the new, or revenue bonds without first submitting the question of issuing said bonds to voters at a regular election held for State, County and City officers and receiving the affirmative vote of two-thirds of the voters voting in said election.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No County, City, Town or School Board in counties having cities of the second class therein, in the Commonwealth of Kentucky, shall issue bonds for any purpose whatsoever except to refund old bonds for the new or revenue bonds without first submitting the question of issuing said bonds to the voters at a regular election held for County, State or City officers and receiving the affirmative vote of two-thirds of the voters voting at said election.

§ 2. All acts in conflict herewith are repealed.

It was ordered that said bill be referred to the Committee on Municipalities.

H. B. 200. An Act defining plumbing, master plumber and journeyman plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to qualified registered master plumbers and registered journeyman plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky; and also granting to the State Board of Health of Kentucky the power to adopt and promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating the kind of materials and fixtures including supply pipes, waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this Act and providing penalties for violation of the provisions of this Act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Defining Plumbing, Master Plumber and Journeyman Plumber. Plumbing is the art of installing in buildings the pipes for distributing the water supply, the fixtures for using water, and drainage pipes for removing waste water and sewerage, together with fittings and appurtenances of various kinds all within or adjacent to the building and including also the "service pipe" which forms the connection between the shut-off valve and curb line and the building, and the "house sewer" which conveys the waste water and sewage from the building to the street sewer or other point of disposal, including private sewage disposal contraptions or other methods and also includes storm or rain water pipings, if same is discharged through or connected with house sewer or house drain. In order to safeguard life, health and

property, any person, firm or corporation engaged in or working at the business of plumbing, either as a master plumber or journeyman plumber, in counties containing cities of the First and Second Class of this Commonwealth, shall hereafter be required to submit evidence that he or she is qualified and shall be required to register, as hereinafter provided.

A master plumber is hereby defined to be a person who assumes responsible charge and direction of other persons in the installation of plumbing and drainage and is skilled in the planning, superintending and the practical installation of plumbing and drainage.

A journeyman plumber is hereby defined to be a person who performs the work of installing plumbing and drainage under the direction of a master plumber.

Any person who assumes responsible charge and direction of other persons in the installation of plumbing and drainage, and who employs for gain or reward a person not registered, as provided herein, to perform and install plumbing and drainage, shall be guilty of violating the provisions of this Act and shall be punishable under the terms thereof. Provided, however, the provisions of this Act shall not apply to anyone who is employed as or acting as a maintenance man by any person, firm or corporation, and who does not practice as his principal trade or business the occupation of a journeyman plumber; and, provided, further, the provisions of this Act shall not apply to persons employed by any water company in the laying, maintenance and operations of its water mains and other appurtenances in the conduct of its business.

§ 2. For the purpose of carrying out the provisions of this Act and for the purpose of enforcing all of its provisions, the State Board of Health of Kentucky shall have jurisdiction, with power to issue and revoke certificates, as herein provided, conduct and hold examinations as herein provided, to make all the necessary rules and regulations for conducting the ex-

amination of applicants and governing the method and time for filing applications for examinations and the time within which an applicant must be examined after his application has been filed, and shall have the power to adopt all other reasonable rules and regulations not inconsistent herewith, as may be necessary to carry into effect the objects and purposes of this Act.

For the purpose of conducting the examination or examinations for persons to qualify as a registered master plumber or as a registered journeyman plumber under the provisions of this Act, the State Board of Health of Kentucky shall appoint as such examiners for such examination or examinations, the following persons: The State Health Officer, the State Sanitary Engineer and three other persons, all of whom shall be registered, under the provisions of this Act, either as a master plumber or a journeyman plumber. Provided, however, that one of said persons shall be a registered master plumber and one of said persons shall be a registered journeyman plumber.

For the purpose of defraying the expense of such examination or examinations, and other expenses incident to the operation of this Act, the following fees shall be paid to the State Board of Health of Kentucky:

(a) By an applicant for an examination to determine his fitness to receive a certificate of registration as a master plumber, twenty-five ($25.00) dollars.

(b) By an applicant for a certificate of registration as a master plumber, twenty-five ($25.00) dollars.

(c) By an applicant for an examination to determine his fitness to receive his certificate as a registered journeyman plumber, five ($5.00) dollars.

(d) By an applicant for a certificate of registration as a journeyman plumber, five ($5.00) dollars.

(e) By an applicant for the annual renewal of the certificate as a registered master plumber, ten ($10.00) dollars.

(f) By an applicant for the annual renewal of the certificate as a registered journeyman plumber, three ($3.00) dollars.

All of the above fees must accompany the application, and no part of said fees shall be refunded.

An applicant failing to receive a certificate upon his first application, or an applicant who fails to pass his first examination, shall be entitled to enter any examination held within six months from the date of his failure to procure a certificate, as provided for in this Act, without the payment of any additional fee.

§ 3. The State Board of Health of Kentucky, for the purpose of carrying out the provisions of this Act, shall establish, adopt, promulgate and put into effect a code regulating the installation of plumbing, house drainage and sewerage and sewage disposal, using as a minimum the basic principles adopted by the sub-committee on plumbing of the Building Code Committee of the United States, Department of Commerce, as shown in the final report of said committee under date of July 3, 1923, with such additions as local, climatic and other conditions may require, and also to fix reasonable fees for the purpose of carrying into effect the provisions of this Act.

§ 4. MATERIALS—Kind That May Be Used—The use of all unsafe and defective material in the work of plumbing and drainage is prohibited. Only the best known methods of installing of materials and fixtures, including supply pipes, waste, ventilation, soil pipe and sewerage shall be employed. It shall be unlawful to use in the work aforesaid light lead pipe, bends and traps, and all combination lead and iron or combination lead and brass ferrules, bends or traps; but there shall be employed only the best known methods of joining

lead or iron pipes by the use of heavy cast brass ferrules properly wiped with solder to lead.

§ 5. Persons to Whom Certificates As Registered Master Plumbers or Registered Journeyman Plumbers Are To Be Issued—The State Board of Health of Kentucky, upon application of any person who is a citizen of the United States and at least twenty-one (21) years of age, shall issue a certificate as a registered master plumber or a registered journeyman plumber without examination to any of the following:

(a) Any person, firm or corporation who furnishes the proper evidence that he or she were known as a master plumber and practiced as a master plumber as his or her principal vocation within counties containing cities of the First and Second Class of the Commonwealth of Kentucky at the time that this Act became a law, for at least five (5) years prior thereto and who applies for such certificate within six (6) months after the passage of this Act and its approval by the Governor.

(b) Any person who furnishes the proper evidence that he or she were known as journeyman plumbers and practiced as journeyman as his or her principal vocation within counties containing cities of the First and Second Class of the Commonwealth of Kentucky at the time this Act became a law, for at least six (6) years prior thereto and who applies for such certificate within six (6) months after the passage of this Act and its approval by the Governor.

(c) Any person who furnishes the proper evidence that he or she now holds a license as a journeyman plumber, or who is a registered journeyman plumber and has passed the examination of any plumbing board of examiners for journeyman plumbers provided for under the laws of this State, and who applies for a certificate as a journeyman plumber within six (6) months after the passage of this Act and its approval by the Governor.

(d) Any applicant not possessing the qualifications as

hereinabove set forth, who desires to become a registered master plumber or a registered journeyman plumber under the provisions of this Act, shall satisfactorily pass an examination designed to test applicant's practicability and technical knowledge of plumbing work, ventilation, water supply, etc.—provided such applicant is a citizen of the United States and at least twenty-one (21) years of age.

§ 6. Who May Be Styled As Registered Master Plumber or Registered Journeyman Plumber?—Any person having a certificate pursuant to the requirements of this Act may be styled or known as a registered master plumber or a registered journeyman plumber.

§ 7. No Person Shall Assume the Title of Master Plumber or Journeyman Plumber Unless Application For Certificate Has Been Applied For—No person, firm or corporation presumed to have the right to secure such certificate because of his or her use of the title "Master Plumber" or "Journeyman Plumber" prior to the time this Act goes into effect, shall assume any title indicating that he or she is a master plumber or journeyman plumber, or any words, letters or figures to indicate that the person using them is a master plumber or a journeyman plumber, unless he or she shall have qualified and obtained a certificate of registration as a master plumber or journeyman plumber, as provided for in this Act, or stated his or her intention in writing to the State Board of Health to apply for certificate within six (6) months after the passage of this Act and its approval by the Governor.

§ 8. A Corporation or a Partnership May Engage in the Business of Plumbing—A corporation or a partnership or an individual principal may engage in the business of plumbing within counties containing cities of the First and Second Class in this State, provided a person or persons connected with such corporation or partnership or individual principal in responsible charge of such plumbing work is or are registered as herein required of master plumbers, or is or are otherwise authorized to practice. The same exemption shall

apply to corporations and partnerships as apply to individuals under this Act.

It shall be the duty of any person who is a registered master plumber who is in responsible charge of such plumbing work for the corporation, partnership or individual principal, engaged in the plumbing business, for such person to notify the State Board of Health when such person severs his connection with the said corporation, partnership or individual principal.

§ 9. Any municipality in this Commonwealth included under the terms of this Act which shall adopt the code promulgated by the State Board of Health of the Commonwealth of Kentucky for plumbing hereinabove set forth through municipal ordinances regulating the installation of plumbing, shall have the right to appoint a municipal plumbing inspector and a deputy plumbing inspector; said municipal inspector and deputy municipal inspectors shall have concurrent jurisdiction with the county plumbing inspector within the boundaries of the municipality in the enforcement of the provisions of this Act; provided, however, that at the time of their appointments the said municipal plumbing inspector and deputy municipal plumbing inspectors are either registered master plumbers, under provisions of this Act, or are registered journeyman plumbers under any law of this Commonwealth regulating the registration of journeyman plumbers or any municipal ordinance passed thereunder. No provisions of this Act shall deprive cities of the first or second class from collecting its occupational license fees on either master or journeyman plumbers, or from the collection of fees for the issuance of permits for the installation of plumbing fixtures.

§ 10. For the purpose of carrying out the provisions of this Act, the State Board of Health of Kentucky shall appoint for counties containing cities of the first and second class in this Commonwealth, a county plumbing inspector; also the State Board of Health of Kentucky may appoint such deputy

county plumbing inspectors as it may deem necessary to carry out the provisions of this Act. Such county plumbing inspector and deputy county plumbing inspector or inspectors shall have at least ten (10) years' experience as a journeyman plumber, or has had five (5) years' experience as a journeyman plumber, and five (5) years' experience as a master plumber, or who has had ten (10) years' experience either as a journeyman plumber and a master plumber. Provided, however, that such person must have had five (5) years' experience as a journeyman plumber and who, at the time of his appointment, is either a registered master plumber or a registered journeyman plumber, under the provisions of this Act. The salary of said county plumbing inspector and the deputy or deputies shall be fixed by the State Board of Health at the time of or immediately after his or their appointment.

§ 11. Penalties for Violating the Provisions of the Act. —Any person, firm or corporation on violating any of the provisions of this Act, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than ten ($10.00) dollars, nor more than one hundred ($100.00) dollars, or imprisonment in the county jail for a period of not more than ninety (90) days, or both so fined and imprisoned, in the discretion of the court or jury.

§ 12. If any clause, sentence, paragraph, or part of this Act shall for any reason, be adjudged by any court of competent jurisdiction to be invalid, said judgment shall not affect, impair or invalidate the remainder of said Act, but shall be confined in its operation to the clause, paragraph or part thereof directly involved in the controversy in which said judgment shall have been rendered.

§ 13. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

It was ordered that said bill be referred to the Committee on Municipalities.

H. B. 277. An Act to fix and regulate the time for calling

the dockets of felony cases and fixing the date for the trial thereof and excepting therefrom that felony indictments may be tried at the term the indictments are returned.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Hereafter the Judges of all the Circuit Courts of this Commonwealth shall on the last day of each term call the docket of all felony cases to be tried at and during the next succeeding term and fix date of trial for said cases. Provided, however, felony indictments may be tried at the term the indictments are returned.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

It was ordered that said bill be referred to the Committee on Judiciary.

H. B. 212. An Act to make it compulsory for the owners of all trucks used for the purpose of hauling livestock, in the Commonwealth of Kentucky, to have the name of the owner or owners of said trucks painted on both sides and on the rear of said trucks, in letters five inches high and providing a penalty for the violation thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the owners of all trucks used for the purpose of hauling livestock, in the Commonwealth of Kentucky, be required to have the name of the owner or owners of said trucks painted on both sides and on the rear thereof, in letters not less than five inches high.

§ 2. Any person, firm or corporation violating the provisions of this Act, shall be fined not less than five dollars nor more than fifty dollars and each day that any such truck is operated in violation of the provisions of this Act shall be deemed a separate offense and punishable as such.

§ 3. This Act shall take effect according to the provisions of the Constitution of the Commonwealth of Kentucky.

It was ordered that said bill be referred to the Committee on Motor Vehicles and Transportation.

H. B. 292. An Act setting out the qualifications of members of Boards of Education in the Commonwealth of Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

A person to be eligible to membership on a board of education must have attained the age of twenty-four years, must have been a citizen of the United States for at least three years preceding his election and must be a resident of the district for which he is elected. He must have completed the eighth grade in the common schools and must not hold or discharge the duties of any office, deputyship or agency under the city or county of his residence; except that any member of such board or any existing board shall be eligible for re-election. No person shall be eligible to this office who at the time of his election is directly or indirectly interested in the sale to the board of books, stationery, or other property. If, at any time after the election of any member of such board he shall become interested in any such contract with or claims against the board, or if he shall after election become a candidate for any office or agency or for the nomination thereto, the holding and the discharging of the duties of which would have rendered him ineligible before election, or if he shall

move his residence from the district for which he was chosen if he shall do or incur anything which would have rendered him ineligible for re-election, his office shall without further action be vacant, and it shall be filled as now provided by law; provided that no member of such board shall vote regarding the appointment or employment in any capacity of any person related to, such member as father, mother, brother, sister, husband, wife, son or daughter, nephew or niece. Board members in office at the time this Act becomes operative may be re-elected regardless of the educational qualifications set out in this Act.

It was ordered that said bill be referred to the Committee on Education.

H. B. 259. An Act relating to the safe development and operation of minerals; providing regulations for the location of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells; defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the term "well" when used in this Act means a bore hole drilled or proposed to be drilled for the purpose of producing natural gas or petroleum, or through which natural gas or petroleum are being produced; the term "well operator" shall include any person or persons, firm, partnership, partnership association or corporation that proposes to or does locate, drill, operate or abandon any well as herein defined; the term "coal operator" shall

include any person or persons, firm, partnership, partnership association or corporation that proposes to or does operate a coal mine; the term "department" or "Department of Mines" includes the duly constituted authorities under the laws of the Commonwealth of Kentucky having jurisdiction over coal mining operations; the term "plat" means a map, drawing or print showing the location of a well or wells herein defined; the term "casing" means a string or strings of pipe commonly placed in wells drilled for natural gas and petroleum; the terms "oil" and "gas" when used in this Act, are synonyms for petroleum and natural gas respectively; the term "cement" means hydraulic cement properly mixed with water only; the term "workable bed" means a coal bed actually being operated commercially or which in the exercise of reasonable judgment the Department of Mines decides can commercially and that it is reasonably to be expected will within a reasonable period of time not exceeding ten (10) years be so operated and which, when operated, will require protection if wells are drilled through it.

§ 2. Before drilling a well on any tract known to be underlaid with coal bearing strata the well operator shall have a plat prepared showing the exact location of the well and shall forward by registered mail a copy of this plat to the Department and at the same time copies to the record owner of such coal bearing strata unless same be under operation, in which event to each coal operator operating said beds of coal beneath said tract of land.

If no objections are made to the proposed location within five (5) days from receipt of the plat by the Department and the coal operator, the well operator may proceed to drill at the location indicated, and the plat shall be filed and become a permanent record, subject to inspection at any time by an interested person. Any agent of the coal operator or a superintendent in actual charge of the mines may be considered as a coal operator, and any process agent or other agent or person in charge of the coal for him may be considered the owner for the purposes of mailing the required copy of plat.

§ 3. In case the drilling of a well at any such location will endanger the use, of present or future operation, of a workable coal bed, the owner or coal operator or operators affected may, within five (5) days from the receipt of said plat by him or them and the Department of Mines, file specific objection in writing to such proposed location with the Department, and if such objection is so filed, the Department shall notify the well operator of the character of the objections and shall fix a time and place for a hearing, not more than ten (10) days from the end of the said (5) days' period, at which such objections shall be considered.

At the hearing, the well operators and the coal operators or owners, or such of them as are present or represented, shall proceed to consider the objections and to agree upon either the location as made or may so change same as to satisfy all objections and meet the approval of the Department and any new location thus selected and agreed upon shall be indicated on a plat in accordance with Section 2, which shall be filed and become a permanent record, whereupon the Department shall issue to the well operator a drilling permit approving the new location and authorize the well operator to drill at said location. In case the coal operator and well operator, or, the owner and well operator are unable to agree, then the Department shall, in view of the purposes and intent of this Act and in compliance therewith, fix a location on said tract as near to the original location as possible and shall issue to the operator a permit to drill at the new location, if the well operator so desires.

If no such objections are filed within said period of five days the Department shall forthwith issue to the well operator a drilling permit approving the location and authorizing the well operator to proceed to drill at said location.

It shall be the duty of the Department to keep a proper index of such plats and locations and accurate records of the proceedings in case of any conference or dispute. In any case, however, where the well operator is working under any agree-

ment with or from the owner, or with or from the coal operator when under operation of the workable coal beds under such tract, which permits the well operator to select his own locations, the location as originally chosen above by the well operators shall become the authorized location and the Department shall issue the proper permit for the drilling of the well, but the well operator must comply with all other requirements of this Act, including those covering the drilling of wells through coal beds and the plugging of wells which may be abandoned.

§ 4. A well penetrating one or more workable coal beds shall be drilled in such manner as will, if practically possible, exclude all oil, gas or gas pressure from the coal bed, except such as may be found in coal bed itself. Each string of casing run through a workable bed of coal shall be seated at least thirty (30) feet below said coal bed in twenty (20) feet of cement, mud, clay or such other non-porous material as will make an effective seal. In case a second workable coal bed is found less than thirty (30) feet below the first workable coal bed referred to above, the casing shall be seated and mudded off as above at least thirty (30) feet below the second bed and in case gas is found between these two beds, it shall be treated as set forth in Section 5. After any such string of casing has been properly so seated, drilling may proceed forthwith.

§ 5. In the event that gas is found beneath a workable coal bed, before the hole has been reduced from the size it had at the coal bed, a packer shall be placed below the coal bed, and above the gas horizon, and the gas by this means diverted to the inside of the adjacent string of casing through perforation made in said string of casing and through it passed to the surface without contact with the coal bed. Should gas be found between two workable beds of coal, in a hole of the same diameter from bed to bed, two packers shall be placed with perforations in the casing between them, permitting the gas to pass inside the adjacent casing to the surface. In either of the cases herein specified, the strings of casing shall extend from their seats to the top of the well.

§ 6. In the event that a well becomes productive of natural gas or petroleum, all coal protecting strings of casing shall remain in place during the life of the well, and the top ends of all such strings shall be provided with casing heads, or such other suitable devices as will permit the free passage of gas and prevent filling the annular spaces outside such casing with dirt or debris.

§ 7. When a well is drilled through the horizon of a coal bed where the coal has been removed, the hole shall be drilled at least thirty (30) feet below the coal bed, of a size sufficient to permit the placing of a liner which shall start not less than twenty (20) feet beneath the horizon of the coal bed and extend not less than twenty feet above it. Within this liner, which may be welded to the casing to be used, shall be centrally placed the largest sized casing to be used in the well, and the space between the liner and the casing shall be filled with cement as they are lowered into the hole. Cement shall be placed in the bottom of the hole to a depth of twenty (20) feet to form a sealed seat for both liner and casing. Following the setting of the liner, drilling shall proceed in the manner provided above. Should it be found necessary to drill through the horizon of two or more workable coal beds where the coal has been removed, the said liner shall be started not less than twenty feet below the lowest such horizon penetrated and shall extend to a point not less than twenty (20) feet above the highest such horizon.

§ 8. Prior to the abandonment of any well, the well operator shall notify, by registered mail, the coal operator or operators or owners to whom notices are required to be given by Section 2 of this Act, and the Department of Mines, of the intention to plug and abandon any such well (using such form of notice as the Department of Mines may provide), giving the number of the well and its location and fixing the time at which the work of plugging and filling will be commenced, which time shall not be less than five (5) days after the day on which such notice so mailed is received or in due course should be received by the Department of Mines, in order that

a representative or representatives of the coal operator or owner and of the Department, or any or all, may be present at the plugging and filling of the well. Whether such representatives appear or do not appear, the well operator may proceed at the time fixed to plug and fill the well in the manner hereinafter described. When said plugging and filling have been completed, an affidavit, in triplicate, shall be made (on a form to be furnished by the Department) by two experienced men who participated in the work, in which affidavit shall be set forth the time and manner in which the well was plugged; one copy of this affidavit shall be retained by the well operator, another (or true copies of same) shall be mailed to the coal operator or operators or owners, and the third to the Department of Mines.

§ 9. Upon the abandonment of any well drilled through a workable coal bed, the well operator, at the time of such abandonment shall plug the well to a point forty (40) feet below the lowest workable coal bed in the following manner: The hole shall be filled with either mud, clay or non-porous material from the bottom to a point twenty (20) feet above the top of the lowest oil, gas or water bearing strata; or a permanent bridge shall be anchored thirty (30) feet below its lowest oil, gas or water bearing strata, and from said bridge it shall be filled with mud, clay or other non-porous material to a point twenty (20) feet above said strata; at this point there shall be placed a plug of cement or other suitable material which will completely seal the hole. Between this sealing plug and a point twenty (20) feet above the next higher oil, gas or water bearing strata, the hole shall be treated in a like manner and at said point there shall be placed another suitable plug, which will completely seal the hole. In a like manner the hole shall be filled and plugged, or bridged, filled and plugged with reference to each of its oil, gas or water bearing strata. Whenever such strata are not widely separated and are free from water, they may be grouped and treated as a single productive strata. After plugging all strata as aforesaid, a final plug shall be anchored approximately ten (10) feet below the bottom of the largest

casing in the well and from this point to the surface the well shall be filled with mud, clay or other non-porous material. In case any of the strata in the well shall have been shot, creating cavities which cannot readily be filled in the manner above described, the well operator shall follow either of the following methods: (a) Should the stratum which has been shot be the lowest one in the well, there shall be placed, at the nearest suitable point but not less than twenty (20) feet above the stratum, a plug of cement or other suitable material which will completely seal the hole. In the event, however, that the shooting has been done above one or more oil or gas bearing strata in the well, plugging in the manner specified shall be done at the nearest suitable point, but not less than twenty feet below and above the stratum shot. (b) When such cavity shall be in the lowest oil or gas bearing stratum in the well, a liner shall be placed which shall extend from below the stratum to a suitable point, but not less than twenty (20) feet above the stratum in which the shooting has been done. In the event, however, that the shooting has been done above one or more oil or gas bearing strata in the well, the liner shall be so placed that it will extend not less than twenty (20) feet above, nor less than twenty feet below the stratum in which shooting has been done. Following the placing of the liner in the manner here specified, it shall be compactly filled with cement, clay, or other non-porous sealing material.

When a well has been filled and securely plugged in the manner aforesaid to a point forty (40) feet below the lowest workable coal bed, and if in the judgment of the well operator, the coal operator and the Department of Mines, a permanent outlet to the surface is required, such outlet shall be provided in the following manner: A plug of cement or other suitable material shall be placed in the well at a suitable point, not less than ten (10) feet below the lowest workable coal bed. In this plug and passing through the center of it shall be securely fastened an open pipe, not less than two inches in diameter, which shall extend to the surface. At or above the surface pipe shall be provided with a device which will permit the free passage of gas and prevent obstructing

of same. Following the setting of the aforesaid plug and pipe, the hole shall be filled with cement to a point ten (10) feet above the lowest workable coal bed. In case there are additional overlying workable coal beds, they shall be treated similarly, if in the judgment of the well operator, the coal operator and the Department of Mines such treatment is necessary and in event the parties cannot agree, the decision of the Department of Mines shall control. If no outlet to the surface is considered necessary by them from any workable coal bed, the plugging, filling and cementing shall be as first above described.

§ 10. Before hereafter removing any coal or other material or driving any entry or passageway within five hundred (500) feet of any well, and also before hereafter extending the workings in any coal mine beneath any tract of land on which wells are also drilled or within five hundred (500) feet of any well or under any tract of land in visible possession of a well operator or operators, any coal operator or operators shall forward, by registered mail, a copy of the parts of its maps and plans which it is required by law to prepare and file and bring to date from time to time, showing its mine workings and projected mine workings beneath such tract of land and within five hundred feet of the outer boundaries thereof, simultaneously, to the well operator and the Department, and following the filing of such parts of its said plans or maps as aforesaid, the coal operator may proceed with its mining operations in the manner and as projected on said plans or maps, but in case the conduct of its mining operations nearer than five hundred (500) feet to any completed well or wells that is being drilled, or for the purpose of drilling where a derrick is being constructed, will endanger the use or drilling of such well, the well owner or operator affected may within five (5) days from receipt of said plat by him or them and the Department of Mines, file specific objections in writing to the mining operations within less than five hundred (500) feet of such well, and if such objection is so filed, the Department shall notify the coal operator of the character of the objections and shall fix a time

and place for a hearing not more than ten (10) days from the end of said five (5) days' period, at which such objections shall be considered. At the hearing, the coal operators or owners and well operators or owners, or such of them as are present or reprsented, shall proceed to consider the objections and to agree upon the character and extent of operations to be conducted within less than five hundred (500) feet of such well so as to satisfy the objections raised and meet with the approval of the Department, and in case the coal operator or owner and well operator or owner affected are unable to agree, then the Department, after a full hearing, shall make a decision defining what coal, if any, is necessary to be left for the safe protection of the use and operation of such well. The decision shall be subject to appeal by either party as in this Act provided. A complete record of all such hearings shall be kept by the Department.

The coal operator shall, at least every six (6) months, bring such plans or maps, required by this section, or file new plans and new maps complete to date.

§ 11. The Department shall exercise supervision over the drilling, casing, plugging and filling of all wells drilled through workable coal beds and of all mining operations in close proximity to any well and shall have such access to plans, maps and other records and to the properties of the operators as may be necessary or proper for this purpose. The Department shall receive or file formal complaints, charging that drilling or mining operations are being conducted contrary to the provisions of this Act, or to the order of the Department, and shall require formal hearings on such complaints. Immediately following such hearing, the Department shall make its findings of fact and enter such order as in its judgment is just and right and necessary to secure the proper administration of this Act.

§ 12. The Department may prescribe rules of procedure and for offering evidence in all matters brought before it and shall prepare and, on request, furnish to applicants copies of

forms of notices and other forms that the Department may require to be used and prescribe the manner of serving the same. Any matter in controversy before the Department shall, after hearing or hearings, of which all persons interested have had due notice and at which they have been given an opportunity to appear and be heard and to offer evidence and to make argument by counsel if desired, be decided by the Department as may seem to it to be just and reasonable and necessary or desirable for the proper enforcement of the provisions of this Act.

§ 13. (a) Any party in interest being dissatisfied with an order of the Department may commence an action in the circuit court of the county wherein the subject-matter involved in the order, or the well, or workable coal bed, or part thereof, are located or may lie, or in any other court of competent jurisdiction against the Department and other interested parties as defendants, to vacate or set aside, in whole or in part, any such order.

Said action shall be in equity and proceeded with and tried as an equitable action and the courts shall have power to grant relief from any unlawful or unreasonable order of the Department, and shall render such judgment as to it may seem equitable and just.

From final orders and judgments in any such proceeding, an appeal shall lie to the Court of Appeals, to be taken in the same manner as appeals are prosecuted in equity cases.

(b) The pendency of such proceedings shall not of itself stay or suspend operation of the order of the Department, but during the pendency of such proceedings the court in its discretion may stay or suspend, in whole or in part, the operation of the order of the Department on such terms as it deems just and in accordance with practice of courts exercising equity jurisdiction.

Any party shall have the right to secure from the court

in which the action is commenced or pending an order suspending or staying the operation of an order of the Department pending said action by adequately securing the other parties against loss due to the delay in enforcement of the order, in case the order under review is not set aside, the security to take such form as shall be directed by the court granting the stay or suspension.

§ 14. Any person or persons, co-partnership, partnership association or corporation wilfully violating the provisions of this Act which prescribes the manner of drilling and casing or plugging and filling any well, or which fixes the distance from wells within which mining operations shall not be conducted without the approval of the Department, or violating the terms of any order of the Department allowing mining operations within a lesser distance of any well than that prescribed by the Act, shall be guilty of a misdemeanor, and on conviction be punished by a fine not exceeding two hundred dollars, or imprisonment in jail for not exceeding twelve months or both, in the discretion of the court, and prosecutions under this section may be brought in the name of the Commonwealth of Kentucky in the circuit court of the county in which the violation of such provisions of the Act or terms of such order was committed.

§ 15. The invalidity of any portion of this Act shall not affect the validity of any other portion thereof which can be given effect without such invalid part.

§ 16. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

It was ordered that said bill be referred to the Committee on Mines and Mining.

H. B. 43. An Act relating to jailers in counties containing cities of the second class with a population of less than 70,000 and providing for the appointment of deputy jailers,

guards and turnkeys and regulating the salaries and pay of said jailers, deputy jailers, guards and trunkeys.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in counties having a population of less than 70,000 and containing cities of the second class, the jailer shall be paid from the fees now provided by law for his services annually not exceeding $5,000.00, and the number of his deputies, guards and turnkeys and the salaries allowed to each shall be fixed by the Fiscal Court; but the annual salary of the chief deputy shall be not more than $2,500.00 nor less than $1,800.00; nor shall the annual salary of the other deputies, guards or turnkeys be more than $1,800.00 or less than $1,200.00 each. The order fixing the salaries and the numbers of deputies, guards and turnkeys shall be spread upon the order book of said court and signed by the presiding officer thereof. All of the salaries herein provided shall be paid out of the fees and compensation now allowed to jailers for keeping, handling and dieting prisoners, and for such other services as by law are required of said jailers.

§ 2. For the purpose of determining the amount of official income available for the purpose of paying the jailer, his deputies, guards and turnkeys, the net amount of such income for each year from all sources shall be deemed the income for such office, and after the payment of the amounts herein provided for the jailer, and the amounts that may be provided by the order of the Fiscal Court for his deputies, guards and turnkeys, the balance remaining, if any, shall be paid to said counties by said respective jailers.

§ 3. All laws and parts of laws in conflict herewith are to the extent of such conflict hereby repealed.

It was ordered that said bill be referred to the Committee on Kentucky Statutes No. 1.

H. B. 234. An Act guaranteeing to all children in this Commonwealth school privilege for the legal term of school.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

It shall be the duty of the board of education of every county in this Commonwealth receiving revenue from public taxation to provide at least minimum legal term of school for all pupil children residing within the geographic limits of such district. Such schools shall be maintained within reasonable walking distance of such pupils of elementary grade, or transportation shall be provided for them to such school or schools.

It was ordered that said bill be referred to the Committee on Education.

A message was received from the House of Representatives announcing that they had passed bills of the following titles:

H. B. 19. An Act relating to roads and bridges and establishing as a part of the primary system of State highways a road leading from a point on United States Highway No. 227 where the Elk Ridge and Lusby Road intersects same through Lusby to United States Highway No. 25 at or near Corinth in Grant County, Kentucky, and designating the same as State Project No. —.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways a road leading from a

point on United States Highway No. 227, about four miles south of Owenton, where the Elk Ridge and Lusby Road intersects United States Highway No. 227 at Hallam in Owen County, Kentucky; thence via the said Elk Ridge and Lusby Road to Lusby; thence through Lusby to and intersecting with United States Highway No. 25 at or near Corinth in Grant County, Kentucky, and the said road shall be designated as Project No. —, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of roads.

H. B. 33. An Act to establish as part of the primary road system of roads and highways of this Commonwealth, a road beginning at State Project No. 55, known as Carrollton-New Castle Road at a point known as the William Jenkins farm, and extending in a westerly direction to Providence Church, thence in a northwesterly direction to U. S. Highway No. 42, at a point near the mouth of Daugherty Creek, or from Providence Church in a southwesterly direction to a point intersecting State Project No. 37, at a point near Ewing's Ford.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as part of the State highway primary system of highways in this Commonwealth the following road:

Leaving State Project No. 55, known as the Carrollton and New Castle Road, at a point near the farm known as the William Jenkins farm, thence in a westerly direction over a road leading to Providence Church, thence in a northwesterly direction intersecting U. S. Highway No. 42 at a point near the mouth of Daugherty Creek or from Providence Church in a southwesterly direction to a point intersecting State Project No. 37, at a point near Ewing's Ford.

It shall be optional with the Highway Department which route will be used.

This route thus established to be designated as Project No. —, and to be entitled to all the benefits and subject to all the laws now and are thereafter inforced with relation to same.

H. B. 42. An Act to establish as a part of the State primary road system a road to be known as Project No. — to lead from Project No. 19½ at Buckner in Oldham County, Kentucky, by way of Cedar Point, Jack Smoot farm and Barbara Basler farm to connect with Project No. 13 at the Liberty Church in Oldham County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Project No. 19½ at Buckner in Oldham County by way of Cedar Point, Jack Smoot farm and Barbara Basler farm to Project No. 13 at Liberty Church in Oldham County, be and the same is hereby designated and established as a part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 49. An Act to establish a primary road project.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That beginning at a point on the Paducah and Bard-

well Road, near the home of Herschel Gholson, about twelve miles from Paducah, and in McCracken County; thence in a westerly direction, connecting with the old United States Highway No. 60 near the farm of William Johnson, in Ballard County, be and the same is hereby established and designated as a part of the primary system of State highways of the Commonwealth of Kentucky, to be known as State Primary Road Project No. —.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 50. An Act to establish a primary road project.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 269 of the Acts of the General Assembly of 1924, which is Project No. 126, of 4356t-5, of Baldwin's Kentucky Statute Service of Carroll's Kentucky Statutes, relating to roads and bridges and establishing a system of primary roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of same, be amended, and when amended and re-enacted said Project No. 126 will read as follows:

Project No. 126 from Carlisle to Flemingsburg, by way of Myer's Station; thence by way of Pleasant Valley; thence by way of Cowan; thence by way of Elizaville to Flemingsburg; thence from Carlisle by way of the Miller's Station turnpike near the residence of Forrest Dalzell to an intersection with United States Highway No. 68, near the residence of Oscar Johnson on said highway, the distance of said project being about three miles.

H. B. 51. An Act to establish a primary road project.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a road leading from Piqua in Robertson County, at said place connecting with State Project No. 48, crossing Licking River at Day's Ferry, via Crayton, Rose Hill, Barterville, and connecting with U. S. Highway No. 68, near its junction with State Project No. 61, in Nicholas County, be and the same is hereby established and designated as a part of the primary system of State highways of the Commonwealth of Kentucky, to be known as State Primary Road Project No. —.

H. B. 72. An Act relating to roads and bridges and amending Chapter 398 of the Acts of the General Assembly, 1928, bearing upon Road Project 433, striking from the said road project as set out in said chapter certain directions and points designated in said chapter for said road to pass.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 398 of the Acts of the General Assembly of Kentucky, 1928, bearing upon Road Project 433, as designated in Kentucky Statutes, concerning the points by which said road shall pass, be repealed and same is hereby repealed, and re-enacted so that it will read when amended as follows: That the road known as the Dresden Road beginning at a point where the Dresden Road intersects with Troy Avenue just outside the city limits of Hickman, Kentucky, and running by the City Cemetery of Hickman, Kentucky, thence in a southeasterly direction by or near Popular Grove Church, in a southeasterly direction to the N. C. & St. L. Railroad at

a point near the Dresden Crossing; thence south on west side of said railroad and parallel with same by the two stores at State Line Station continuing parallel with said railroad south about one-half mile to a point in the Kentucky-Tennessee State line where the said road connects with the Union City Highway as now surveyed. The entire length of projects approximately seven miles, be and same is hereby established as a part of primary system of State highways of the Commonwealth of Kentucky to be known as State Highway Project No. —.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in the act establishing and creating a primary system of State highways in the Commonwealth of Kentucky. And the said project shall be entitled to and receive all benefits of such laws as are now, or may hereafter be in effect with relation to the primary system of State highways of the Commonwealth of Kentucky.

All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Whereas, said project as enacted by Chapter 398 and established thereby has been surveyed by the State Highway Commission, properly locating said road as set out in this Act as amended, and whereas bids have been received for the grade and drainage of same, but being held up because said road as surveyed does not comply with the requirements of Act 398, and whereas it will be necessary to pass upon said bill and award said contract within the next few weeks, and whereas the present restrictions in the law will prevent the State Highway Commission from proceeding with said contract, which appears to be advantageous to the State Highway Department therefore an emergency is declared to exist and this Act shall become effective upon its passage and approval by the Governor.

H. B. 77. An Act establishing as a part of the primary

system of State highways a road beginning at Elizabethtown, Ky., in Hardin County, and running thence via Bethlehem Academy, Blue Ball Church, Four Corners, to Big Spring, intersecting the proposed Lincoln Highway at Big Spring in Hardin County, Ky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at Elizabethtown, Ky., in Hardin County, and running thence via Bethlehem Academy, Blue Ball Church, Four Corners, to Big Spring, in Hardin County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, as amended to the same effect as if said road has been named in the original Acts as one of the projects of the primary system of State highways as provided therein.

H. B. 86. An Act to extend the Garrett Highway from the mouth of Wolf Creek and up Wolf Creek to the Pike and Williamson State Road.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There be a road extended from Garrett Highway and the mouth of Wolf Creek, running up Wolf Creek, via Emily Bridge to the mouth of White Oak, thence up White Oak the nearest and best route which shall be designated by the State highway engineers so as to connect with the Williamson and Pikeville State Highway, same to be known as Project No. —.

H. B. 106. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road located in Muhlenberg County, and beginning at the city limits of Central City, running in a southern direction through String Town to Rosewood; thence to Project No. 98 near the Muhlenberg and Todd County line.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be added to and established as a part of the primary system of State highways a road beginning at the city limits of the city of Central City, running in a southern direction through Stringtown, to Rosewood; thence to Project No. 98, near the Muhlenberg and Todd county line, designated in Carroll's Kentucky Statute; said road to be designated as Project No. —.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, Page 76, Acts of 1920, establishing and creating a primary system of State highways.

H. B. 203. An Act relating to roads and to establish as a part of primary highway system a road from North Grassy, in Magoffin County via Hindman, Ky., to a point on 15 near Cody, Ky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a road beginning on Project No. 28, at or near the mouth of Grassy Creek, a tributary of Licking River, in Magoffin County, and then running up Licking River and the

Gardner-Bailey fork thereof to Salt Lick Gap, via Lick Branch, Yellow Mountain, Mills Branch of Balls Fork of Troublesome Creek, Stewarts Branch to top of the ridge and down Owens Branch to point of intersection with State Route No. 80, and Project No. 28, and thence to Hindman, Ky., over route No. 80; thence up right hand fork of Troublesome Creek and to continue on the most feasible route to a point on State route No. 15, near Cody, Knott County, Kentucky, be and the same is established as a part of the primary road system of the Commonwealth of Kentucky.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

H. B. 191. An Act reestablishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road from Thurlow, Green County, to Three Springs in Hart County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road from Thurlow, Green County, at the Greensburg-Edmonton road, by way of Pierce and Crailhope to Three Springs at the Horse Cave-Sulphur well road in Hart County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 169. An Act creating and establishing as a part of

the primary system of State highways of the Commonwealth of Kentucky a road leading from Harrodsburg in the county of Mercer to Sparrow in the county of Anderson, to be known and designated as Project No. —.

Said bill reads as follows:

§ 1. That there is hereby created and established as a part of the primary system of highways of the Commonwealth of Kentucky a road known as the old Bloomfield road running from Harrodsburg through Mercer and Washington Counties and a part of Nelson and Anderson Counties to Sparrow in the County of Anderson, intersecting the Taylorsville and Bloomfield highway, and reducing the distance from Harrodsburg to Louisville about sixty-one miles, to be known and designated as Project No. —.

H. B. 166. An Act creating and establishing as a part of the State primary system of roads and highways, a road project leading from U. S. Highway No. 25, near Turkey Creek, via Girdler, to Tom Jones Farm on Big Richland Creek in Knox County, Ky., said road to be known and designated as the "James D. Black Highway."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky a road beginning on U. S. Highway No. 25 near where Turkey Creek crosses the same; thence up Turkey Creek to Horn Gap and down Horn Branch by way of the mouth of Paynes Creek and mouth of Callebs Creek, via Girdler, to the Tom Jones Farm on Big Richland Creek in Knox County.

§ 2. The construction, maintenance, supervision and con-

trol of said road shall be subject to the terms provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of roads and highways, the same as though said road had been named in said original act as one of the projects of said primary system of highways of the Commonwealth of Kentucky.

§ 3. Be it further enacted that said road hereby created shall be forever known as the "James D. Black Highway" in memory of Hon. James D. Black, formerly governor of Kentucky, who was born in the section traversed by this road.

§ 4. The State Highway Commission of Kentucky is directed to assign the "James D. Black Highway" an appropriate number.

H. B. 159. An Act to establish a road and make part of the State primary system a road from Windyville in Edmonson County to connect with the State highway near Honaker's Ferry in Warren County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established and made a part of the State primary system of roads, a road beginning at Windyville in Edmonson county and running via Asphalt, Davis' Ferry and Glenmore and connecting with the State highway near Honaker's Ferry in Warren county. Said road shall have the same construction and maintenance as other roads on the primary system of roads and be designated as Project No. —.

H. B. 139. An Act establishing as a part of the system of State highways, a road from Letcher Gap to Cold Spring, etc.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following, to-wit:

Beginning at the intersection of the Mountain Trail Road with U. S. Highway No. 123 near Letcher Gap on Pine Mountain in Letcher County, thence to Saddle Gap, thence to High Point, thence to Cold Spring, and from Saddle Gap via Pfennings Lane to its intersection with State highway. Said road to be known as Project No. —, and said project shall receive and be entitled to all the benefits allowed and provided for in Chapter 17 of the Acts of the General Assembly, establishing and creating a system of State highways.

H. B. 138. An Act to add to the primary road system of the State.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

To add to the primary system a road from Richard Shivel farm on Highway 168 to Eubank on Highway 27, the nearest and most practical route, via Webb's Store, Ottawa Post Office, W. G. Brown Store, Willailla Post Office and Bandy Post Office.

H. B. 124. An Act relating to roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby added to the State primary

system of roads, a road running from near Snodgrasses Store on the Morgantown and Brownville road in Butler county, Kentucky, to Caneyville, in Grayson county, Kentucky, via Lee, via Decker, via Reedy.

§ 2. This road shall be known as Project No. —.

H. B. 213. An Act to add to the State primary system of roads the route from Denniston, Menifee County, Kentucky, by way of Pomeroyton in Menifee County, Kentucky, to a point on the Kentucky-Virginia Highway about three miles east of Campton in Wolfe County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby added to the primary system of roads of the Commonwealth of Kentucky the route from Denniston on Kentucky State Highway No. 40, in Menifee County, Kentucky, through Pomeroyton in Menifee County, Kentucky, to a point on the Kentucky-Virginia Highway about three miles east of Campton in Wolfe County, Kentucky.

This act shall take effect according to the provisions of the Constitution of the Commonwealth of Kentucky.

H. B. 214. An Act to add to the primary system of roads of the Commonwealth of Kentucky, the route from Frenchburg in Menifee County, Kentucky, down Beaver Creek through Scranton, Menifee County, Kentucky, to the mouth of said Beaver Creek at Licking River in Menifee County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby added to the primary system of roads

of the Commonwealth of Kentucky the route from Frenchburg, Menifee County, Kentucky, down Beaver Creek through Scranton, Menifee County, Kentucky, to the mouth of said Beaver Creek at Licking River in Menifee County, Kentucky.

This Act shall take effect according to the provisions of the Constitution of the Commonwealth of Kentucky.

H. B. 222. An Act relating to roads and highways and establishing a road beginning at Old Cedar Baptist Church near Monterey on Road Project F. A. 221 and known as the Owenton-Monterey-Frankfort road and running southeast via Truesville, Tacketts Mill, Owen County, Elmville, Franklin County, and intersecting with Project U. S. 227 about one mile north of Stamping Ground, Ky., in Scott County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and it is hereby established as a part of the primary system of the State highway, a road beginning at Old Cedar Baptist Church in the Owenton-Monterey-Frankfort road, designated F. A. 221 and running a southeast direction via Truesville, Tacketts Mill, Owen County, Elmville, Franklin County, to the State road known as Project U. S. 227 about one mile north of Stamping Ground. Said road being approximately 10 miles long and the same should be designated as Road Project No. —.

H. B. 228. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from the corporation limits of Scottsville, Ky., to the Tennessee State line, known now as the Hartsville road, which passes Shady Grove School House and farm of H. C. Dobbs.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from the corporation limits of Scottsville, Ky., to the Tennessee State line, known now as the Hartsville road, which passes Shady Grove School House and farm of H. C. Dobbs.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17, of the Acts of the General Assembly of 1920, establishing and creating primary system of State highways to the same effect, as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 229. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from the corporation limits of Scottsville, Ky., to Brown's Ford Bridge, via Maynard, Ky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from the corporation limits of Scottsville, Ky., by Brown's Ford Bridge, via Maynard, Ky., to Fountain Run and Scottsville Road.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating primary system of State highways to the same effect, as if said road had been named in

the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 230. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from Fitzpatrick's Store, two miles southeast of Scottsville on the Scottsville and Holland Pike, in Allen County, to the Tennessee State line via Lucy A. Bradley farm and Mount Union Church.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from Fitzpatrick's Store, two miles southeast of Scottsville, Ky., on the Scottsville and Holland Pike, in Allen County, to the Tennessee State line, via the Lucy A. Bradley farm and Mount Union Church.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways to the same effect, as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 235. An Act establishing State Highway Project No. 235.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and now is established as one of the pri-

mary road projects of the Commonwealth of Kentucky the following, to-wit: Beginning at the intersection of the Graves Lane Road, in Daviess County, with the Owensboro and Yelvington Rock Road, following the Graves Lane Road to the Barker Road at the Spice Knob school lot, following the Barker Road, crossing Pup Creek at the iron bridge on said rock road by way of Bethlehem Church and School House, by the town of Scythia-Longview School House, by the town of Gatewood; also School House and Church in Hancock County, by way of Utility and following said road to Federal Highway No. 60, in or near Hawesville, Ky.

Said project shall be known as Road Project No. —, and such project shall receive and be entitled to all the benefits allowed and provided for in Chapter 17, of the Acts of the General Assembly, 1920, establishing and creating a primary system of State highways, the same as though said road has been named in said original Act as one of the projects of said primary system of State highways.

The Highway Commission is hereby directed to assign to the above road an appropriate project number.

H. B. 237. An Act to establish as a part of the primary system of State highways of the Commonwealth of Kentucky, a road commencing at the Richmond and McKee State Highway No. 21, running down Red Lick to Station Camp Creek, in Estill County, Kentucky, to the State Highway Project No. 83.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road commencing at the Richmond and McKee State Highway No. 21, near Bighill, running down Red Lick

to Station Camp Creek in Estill County to the State Highway Project No. 83, running from Irvine to McKee, Ky., a distance of approximately twelve miles.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 240. An Act establishing the road commencing at Gest, Henry County, via Sandripple, through LeCompte's Bottom by the mouth of Flat Creek to intersect No. 37 at a point near Bold Knob High School, in Franklin County, as part of the State highway system.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established the road commencing at Gest, Henry County, via Sandripple, through LeCompte's Bottom by mouth of Flat Creek to intersect No. 37 in Franklin County at a point near Bald Knob High School as a part of the State highway system.

H. B. 242. An Act to establish a new State primary road project, to be known as Project No. —, beginning at Corydon on U. S. Highway No. 60, in Henderson County, Kentucky, and known as Upper Corydon Road, and extending in a northeastern direction to Smith's Hill, in Henderson County, Kentucky, a distance of approximately four and one-half miles.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from U. S. Highway No. 60,

at Corydon, Henderson County, Kentucky, and known as Upper Corydon Road, extending in a northwestern direction to Smith's Mill, approximately four and one-half miles in length, be and the same is hereby established and designated as a part of the primary road system of State highways of the Commonwealth of Kentucky, to be known as State primary road Project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions, as set out and provided in Section 17 of the Acts of the General Assembly of 1920, and the amendments thereto, establishing and creating a primary system of highways.

H. B. 247. An Act relating to roads and highways and establishing a road beginning at the Georgetown, Stamping Ground and Owenton road known as Project U. S. 227 at the place where the turnpike leading from New to Fairbanks, Ky., crosses said Owenton, Stamping Ground and Georgetown Road in Owen County, and running eastward to Fairbanks, crossing Caney Creek and intersecting with the Lee's Mill and New Columbus pike at the Hunter residence, thence to Natlee, New Columbus and Corinth, intersection with the Dixie Highway at Corinth, Ky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and a road is hereby established as part of the primary system of the State highway of Kentucky beginning at U. S. 227 where the pike leading from New to Fairbanks crosses it, thence eastward to Fairbanks, crossing Caney Creek intersecting with the Natlee and New Columbus road at the Hunter residence, thence to Natlee, New Columbus and intersecting with the Dixie Highway at Corinth, Ky. Said road being approximately 10 miles long and the same shall be designated as Road Project No. —.

H. B. 255. An Act establishing road leading from Flippin to Jeffery to or near Mud Lick.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following:

A road beginning at Flippin and running by and with or near the road to Jeffery and thence with or near the road to Mud Lick, or near Mud Lick.

§ 2. Said project thus established as part of the primary roads of this Commonwealth shall be entitled to all privileges, benefits and conditions now given by any Act or Law to the primary roads of this Commonwealth.

This road to be known and designated as Road Project No. —.

H. B. 263. An Act relating to roads and highways provided for making a part of the primary road system of the Commonwealth of Kentucky, a project running from the highway near West Fort Church in Calloway County, Kentucky, north via of Kirksy, north intersecting highway in Marshall County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there shall be now established a part of the primary road system of the Commonwealth of Kentucky the following to be designated as Project No. —, running from Highway

near West Fork Church in Calloway County, Kentucky, via Kirksy, intersecting the highway in Marshall County, Kentucky. The said project shall be a part of the primary system of highways and be entitled to all the benefits and subject to all the laws now or that may hereafter be enacted with relation to same and be added to the projects established by the Acts of the General Assembly of 1920, 1922, 1924, 1926, 1928 and 1930.

H. B. 264. An Act establishing as a part of the primary system of State highways a road running from the intersection of the Carrollton and Eagle Turnpike with Project 59 of the primary system of State highways near Gap Hill in Carroll County, Kentucky, to Wheatley, Ky., via Easterday, Ky., and Eagle Station, Ky., and designating said road as Project 59.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from the intersection of the Carrollton and Eagle Turnpike with Project No. 59 of the primary system of State highways near Gap Hill in Carroll County, Kentucky, to Wheatley in Owen County, Kentucky, and Eagle Station, Ky.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out in Chapter No. 17 of the Acts of the General Assembly of 1920, and all the amendments thereto, the same as though said road had been named in said original act as one of the projects of the primary system of State highways.

§ 3. Said road shall be designated and named as Project

No. 59C of the primary system of State highways of the Commonwealth of Kentucky.

H. B. 265. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road running from Worthville to Sanders in Carroll County, Kentucky, and designating said road as Project 59D.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from State Project No. 59 in Worthville, Ky., to State Project No. 13A in Sanders, Ky.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out in Chapter No. 17 of the Acts 'of the General Assembly of 1920, and all the amendments thereto, the same as though said road had been named in said original act as one of the projects of the primary system of State highways.

§ 3. Said road shall be designated and named as Project No. 59D of the primary system of State highways of the Commonwealth of Kentucky.

H. B. 274. An Act to establish a primary road project from the mouth of Emily Creek in Martin County, thence up Emily Creek to the mouth of Copers Mine, thence up Copers Mine and across the hill to Lick Branch to the Pike County line on the waters of Big Creek.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary

system of State highways of the Commonwealth of Kentucky, a road beginning at the mouth of Emily Creek, thence running up Emily Creek to the mouth of Copers Mine, thence up Copers Mine and across the hill to the Lick Branch to the Pike County line on the waters of Big Creek.

H. B. 282. An Act establishing State primary road Project —, from Benton, in Marshall County, to Bardwell, in Carlisle County, by way of Boaz and Lowes, in Graves County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That State primary road Project — be and the same is hereby established from Benton, Marshall County, Kentucky, to Bardwell, in Carlisle County, by way of Boaz and Lowes, in Graves County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920, establishing and requiring a primary system of State highways, to the same effect as if the said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

H. B. 283. An Act to amend Kentucky Statutes, Section 4356t-5, which is an Act designating and establishing primary State roads, by adding thereto Project No. —, describing as beginning at a point in road running from Simpsonville and Chestnut Grove, in Shelby County, Kentucky, and running by way of Todds Point and Floydsburg, and connecting with State Highway 22 at Crestwood, in Oldham County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5 be and the same is amended by adding thereto Project No. — to read as follows:

Project No. —, beginning at a point in road running from Simpsonville and Chestnut Grove, in Shelby County, Kentucky, and running by way of Todd's Point and Floydsburg, and connecting with State Highway No. 22 at Crestwood, in Oldham County, Kentucky.

H. B. 286. An Act to establish a primary road project from the end of West 12th Street, at the city limits, to Barren River Church, connecting with State Project No. 410.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at the city limits of Bowling Green at the end of West 12th Street, thence in a northwesterly direction to Barren River Church, following the general route of the Glenn Lilly Road, connecting with State Project No. 410.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920 as amended, to have same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 287. An Act establishing as a part of the primary system of State highways a road to be known as Project No. — beginning at a point on Highway No. 71 at Hadley, Warren County, Kentucky, by way of Ebenezer Church and Cave Hill to Richelieu, Logan County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road to be known as Project No. —, beginning at a point in Highway No. 71 at Hadley, Warren County, Kentucky, and running in a westward direction via F. W. Cohon's store and Ebenezer Church where it intersects the old Greenville Road, thence southward on Greenville road to Cave Hill, thence in a westwardly direction to Richelieu, Logan County, Kentucky.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 289. An Act relating to roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from the Dixie Highway at the Baptist Church at Crittenden, Grant County, and running thence in a general westwardly direction by way of what is now known as the R. P. Hughes farm and thence to Verona, Boone County, intersecting with the Walton and Gallatin County project No. —.

Said road being approximately four and one-half miles in length.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 290. An Act to establish as a part of the primary system of roads of the State highways of the Commonwealth of Kentucky, a road leading from Falmount, Pendleton County, Kentucky, on U. S. Highway No. 27, by the way of Morgan and Cordova to intersect U. S. Highway No. 25 at Corinth, Grant County, Kentucky, and designating same as Project No. —.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as a part of the primary road system of the Commonwealth of Kentucky a road from Falmouth, Pendleton County Kentucky on U. S. Highway No. 27 to run by the way of Morgan in Pendleton County, Kentucky, Cordova in Grant County, Kentucky, and to intersect with U. S. Highway No. 25 at Corinth in Grant County, Kentucky, and said road shall be run so as to touch the points herein designated.

§ 2. That the construction, maintenance and supervision and control of said road shall be subject to all the terms and conditions as set out and provided in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary road system of highways. Same shall be designated as Project No. —.

H. B. 299. An Act to establish as part of the State primary road system a road to be known as Project —, starting on Highway 81 at Calhoun, by the Poverty and Mt. Vernon Church near Lemore, connecting at Wrightsburg.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road starting on Highway No. 81, at Calhoun, by the Poverty and Mt. Vernon Church near Lemore connecting at Wrightsburg, in McLean County, Kentucky, be and the same is hereby designated and established as part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 301. An Act creating and establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from Willisburg, Washington County, Kentucky, and continuing, via Polin, Mt. Zion and Sutherland's Mill, to Chaplin, Nelson County, Kentucky, to be known and designated as Project —.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Willisburg, Washington County and continuing, via Polin, Mt. Zion and Sutherland's Mill, to Chaplin, Nelson County, Kentucky, to be known and designated as Project No. —.

H. B. 302. An Act to amend Kentucky Statutes, Section

4356t-5, which is an Act designating and establishing primary State roads, by adding thereto Project No. —, described as beginning at a point in U. S. Highway No. 42, and running to Wises Landing.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5, be and the same is amended by adding thereto Project No. —, to road as follows:

Project No. —, beginning at a point on U. S. Highway No. 42, near Bedford, Trimble County, Kentucky, thence to Wises Landing, over the most practical and direct route to be determined by the Highway Commission.

All Acts and parts of Acts in conflict herewith to extent of said conflict are hereby repealed.

H. B. 303. An Act to amend Kentucky Statutes, Section 4356t-5, which is an Act designating and establishing primary State roads by adding thereto Project No. —, described as beginning at a point in U. S. Highway No. 42, near Abbott's Store, thence in a northwesterly direction to Hickory Grove Church, thence westerly by the farm of T. B. Kidwell, to Patton's Creek, thence westerly by Covington Church to a point in State Highway No. — near Westport, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5, be and the same is amended by adding thereto Project No. —, to road as follows:

Project No. —, beginning at a point on U. S. Highway No. 42, near Abbott's Store, and running in a northwesterly direction to Hickory Grove Church, thence westerly by the farm of T. S. Kidwell, on Kidwell's Branch to Patton's Creek, thence westerly by Covington Church to a point in State Highway No. —, near Westport, Kentucky.

H. B. 304. An Act to amend Kentucky Statutes, Section 4356t-5, which is an Act designating and establishing primary State roads by adding thereto Project No. —, described as beginning at a point in U. S. Highway No. 42 near the intersection of the Westport County Road, and running with said county road, by the farms of Pard Bowling, Richard Hamblen, and W. C. Kelley, to the town of Westport, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5, be and the same is amended by adding thereto Project No. —, to road as follows:

Project No. —, beginning at a point in U. S. Highway near the intersection of the Westport County Road, thence in a northerly direction with said county road, by the farms of "Pard" Bowling, Richard Hamblen, and W. C. Kelley, to the town of Westport, Kentucky.

H. B. 305. An Act to amend Kentucky Statutes, Section 4356t-5, which is an Act designating and establishing primary State roads by adding thereto Project No. —, described as beginning at a point in State Road No. 37, near Humphrey Givideu's in Trimble County, and running over county road known as Webb and Foree, intersecting State Road No. 63, in town of Sulphur, Henry County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Secton 4356t-5, be and the same is amended by adding thereto Project No. —, to road as follows:

Project No. —, beginning at a point in State Highway No. 37, near Humphrey Givіden's thence over county road known as Webb and Foree Road, intersecting State Road No. 63, at the town of Sulphur, Henry County, Kentucky.

H. B. 306. An Act to establish a primary road project to be known as Project No. —, beginning where the Steel Bridge crosses Watts Creek in Whitley County, Kentucky, at a point in the State Road No. 25W, two miles north of Williamsburg via Gold Bug to Young Creek Post Office and connecting with the Corbin and Cumberland Falls Road.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary road system of the Commonwealth of Kentucky, a road known as Project No. —, beginning where the Steel Bridge crosses Watts Creek in Whitley County, Kentucky, at a point in the State Road No. 25W, two miles north of Williamsburg, via Gold Bug to Youngs Creek Post Office and connecting with the Corbin and Cumberland Falls Road.

The said road to have and receive all the benefits of the State primary road as set out in the Act of 1920.

H. B. 308. An Act to establish as a part of the State primary road system a road to be known as Project No. —, to lead from a point on Highway No. 60, at or near Nick Mill's farm in Meade County, Kentucky, thence in a westerly direc-

tion to or near Jim King's farm, thence to Arnold School House and intersecting primary State road at Frymire, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from a point on Highway No. 60, at or near Nick Mill's farm, in Meade County, Kentucky; thence in a westerly direction to or near Jim King's farm; thence to Arnold School House and intersecting primary road at Frymire, Kentucky, be and the same is hereby designated and established as a part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 309. An Act to establish as a part of the State highway primary road system a road to be known as Project No. —, to lead from primary State road near Ekron where Hill Grove Road intersects primary State road, thence to Aldrich Shacklett's farm and thence to Hill Grove School, and Church, thence to Big Spring intersecting Lincoln Highway route by way of Meadeville and Hall School House, in Meade County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from primary State road near

Ekron where Hill Grove Road intersects primary State road; thence to Aldrich Shacklett's farm and thence to Hill Grove School and Church; thence to Big Spring intersecting Lincoln Highway route by way of Meadeville and Hall School House, in Meade County, Kentucky, be and the same is hereby designated and established as a part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 315. An Act to establish as a part of the primary system of roads of the State highways a road from near the mouth of Abner Fork of Beaver Creek to the upper end of town of Weeksberry, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road beginning on the Haymond Highway near the mouth of Abner Fork of Left Beaver Creek, Floyd County, and thence running up the said Beaver Creek to the upper end of the town of Weeksberry.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

§ 3. All Acts and parts of Acts in conflict herewith are hereby repealed.

H. B. 327. An Act creating and establishing as part of the primary system of roads and highways of the Commonwealth of Kentucky, a road extending the Doctor Thomas Walker Memorial Highway, from the present terminus of said highway, via Indian Creek, to connect in Knox County with the road leading from Dishman Springs to Williamsburg.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky a road extending the "DOCTOR THOMAS WALKER MEMORIAL HIGHWAY"; said extension beginning at the present terminus of said highway near the "DOCTOR THOMAS WALKER MEMORIAL PARK", a State park, on Cumberland River in Knox County, Kentucky; thence extending said highway to Indian Creek; thence up Indian Creek so as to intersect in Knox County with the road leading from Dishman Springs to Williamsburg.

§ 2. The construction, maintenance, supervision and control of said highway shall be subject to and controlled by all the terms and conditions set out and provided in Chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of roads and highways, the same as though said highway had been named in said original Act as one of the projects of said primary system of highways of the Commonwealth of Kentucky; and provided further, that the road herein and hereby created and established shall be subject to the terms and conditions set forth in Chapter 335 of the Acts of the General Assembly of 1930.

§ 3. The State Highway Commission of Kentucky is

directed to assign to said "Dr. Thomas Walker Memorial Highway" an appropriate number.

H. B. 328. An Act creating and establishing as a part of the State primary system of roads and highways, a road project leading from Corbin, Knox County, Kentucky, via Wilton, to the highway leading from Barbourville to Williamsburg, in Knox County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road leading from Corbin, Knox County, Kentucky, so as to intersect with the highway leading from Barbourville to Williamsburg, in Knox County. Said road to begin at Hamblin Street at the city limits of Corbin, Knox County; thence by the way of Moore Hill School and Liberty School to the Wilton Road; thence through Wilton, so as to intersect the highway leading from Barbourville to Williamsburg, in Knox County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of roads, the same as though said road had been named in said original Act as one of the projects of said primary system of the Commonwealth of Kentucky.

H. B. 329. An Act creating and establishing as a part of the State primary system of roads and highways a road project, beginning at Fount and leading to the road fork of Stinking Creek, in Knox County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Fount, Knox County, thence up Hammond's Fork, the Shop Branch Gap; thence down Bell's Fork to the Road Fork of Stinking Creek, in Knox County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, creating and establishing a primary system of roads, the same as if said road had been named in said original Act as one of the projects of said primary system of the Commonwealth of Kentucky.

H. B. 330. An Act creating and establishing as a part of the State primary system of roads and highways a road project leading from U. S. Highway No. 25 at Evergreen, Kentucky, near Flat Lick, and running through Old Flat Lick, in Knox County, Kentucky, and thence to the mouth of Moore's Creek and up Moore's Creek to the Bell County line.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning on United States Highway No. 25 at Evergreen, Kentucky, near Flat Lick, Kentucky; thence to Old Flat Lick, Kentucky; thence up Stinking Creek to the mouth of Moore's Creek; thence up Moore's Creek to the Bell County line.

§ 2. The construction, maintenance, supervision and

control of said road shall be subject to the terms provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of roads and highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways of the Commonwealth of Kentucky.

H. B. 349. An Act to establish a primary road project from a point in the Glenn Lilly Road to a point on State Highway No. 71, near George Jefferson's property.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at a point in the Glenn Lilly Road at or near the top of Briggs' Hill, running thence in a southernly direction to a point on State Highway No. 71 near George Jefferson's property.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Section 17 of the Acts of the General Assembly of 1920 as amended, to have same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 350. An Act relating to roads and bridges and establishing as a part of the primary system of Kentucky a road leading from a point where the Binghamtown Cut Off intersects with U. S. Highway No. 25-E to a point in Middlesboro, Kentucky, where Fitzpatrick Avenue intersects with Cumberland Avenue.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the State highways a road leading from a point at the intersection of U. S. Highway No. 25-E and the Binghamtown Cut Off in the northern part of Middlesboro, Bell County, Kentucky, thence in a southerly direction along the Binghamtown Cut Off and 25th Street to a point where 25th Street intersects with Cumberland Avenue; thence east along Cumberland Avenue to a point where Fitzpatrick Avenue intersects with Cumberland Avenue; and said road shall be designated as No. 25-E, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relations to the primary system of roads.

H. B. 351. An Act establishing a road project from corporation limits of Scottsville, Kentucky, along present traveled road by Gainsville, Meador, across Osborne Ford on Barren River, by Kepler, Warren County, intersecting Bowling Green and Glasgow Road at Kirby Farm.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky, the following route: Beginning at the end of North Court Street at the north corporate limits of Scottsville, Kentucky; thence with the present traveled road from said point to Gainsville, Kentucky, in Allen County; thence with the present traveled road from Gainsville, Kentucky, to Meador, Kentucky; thence to the Osborne Ford or Ferry, on Barren River, crossing Barren River to intersect with a road leading by Three Forks School House; thence by Kepler, in Warren County, Kentucky, to where it intersects the Bowling Green and Glasgow Road, at Kirby Farm. Said road project to be known as the Scottsville-Mammoth Cave Highway.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and under the provisions and controlled by the Act of the General Assembly as amended relating to roads and highways of the Acts of 1920, being Chapter 17 of said Acts.

H. B. 352. An Act relating to roads and bridges and establishing as a part of the primary system of the State highways a road leading from a point where 20th Street intersects with Cumberland Avenue, in Middlesboro, Bell County, Kentucky, to a point on U. S. Highway No. 25.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of the State highways a road leading from a point at the intersection of 20th Street and Cumberland Avenue in Middlesboro, Bell County, Kentucky, to a point on U. S. Highway No. 25-E by way of Fern Lake and Bartlett Park, and same being about two miles in length; and said road shall be designated as Project No. — and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relations to the primary system of roads.

H. B. 365. An Act to be placed on the State road primary system a road from Biever-bend Filling Station to Red-Hill School House in Rockcastle County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be placed on the State road primary system a road from Biever-bend Filling Station to Red-Hill School House in Rockcastle County.

H. B. 415. An Act establishing as a part of the primary system of the State highways a road beginning at Cynthiana, Harrison County, Kentucky, via White Oak, Selma, Fairview, Hinton, to a point on Dixie Highway near Stonewall in Scott County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky a road beginning at Cynthiana, Harrison County, thence via White Oak, Selma, Fairview, and Hinton to a point on the Dixie Highway near Stonewall in Scott County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 416. An Act establishing as a part of the primary system of State highways a road beginning at a point on State Project No. 58a at Broadwell, Harrison County, thence via Jacksonville and Centerville to Lexington, Fayette County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky a road beginning at a point on State Project No. 58a at Broadwell, Harrison County, thence via Jacksonville and Centerville to Lexington, Fayette County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 424. An Act establishing as a part of the primary system of State highways a road beginning at George Reeves' farm, in McLean County, Kentucky, thence near Oak Grove Church via Buel, intersecting with Route 71 at Flat Buck Creek Church.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning near George Reeves' farm, in McLean County, Kentucky; thence near Oak Grove Church via Buel, intersecting with Route 71 at Flat Buck Creek Church.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 435. An Act to establish as part of the State primary road system a road to be known as Project No. —, starting on the Dawson Springs-Providence Road near Charleston, Hopkins County, by way of Union Grove, Evans Mill, Waite School to a point on Dawson Springs-Princeton Road, approximately three miles from Dawson Springs.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road starting on the Dawson Springs-Providence Road near Charleston, Hopkins County, by way of Union Grove, Evans Mill, Waite School to a point on Dawson Springs-Princeton Road approximately three miles from Dawson Springs, be and the same is hereby designated and established as part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 436. An Act to establish as part of the State primary road system a road to be known as Project No. —, starting on Highway No. 91 between Crider and Baker's Station via Charlene connecting with Fairview Church on Ollie James Highway.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road starting on Highway No. 91 between Crider and Baker's Station by Charlene connecting at Fairview Church in Lyon County, Kentucky, be and the same is hereby designated and established as part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of

the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 437. An Act to establish as part of the State primary road system a road to be known as Project No. —, beginning at a point on the Princeton and Cadiz Road known as Hopson Store in Caldwell County and extending thence to Wallonia, Trigg County, a distance of about five miles.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road beginning at a point on the Princeton and Cadiz Road known as Hopson Store in Caldwell County and extending thence to Wallonia, Trigg County, a distance of about five miles, be and the same is hereby designated and established as part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing a primary system of State highways.

H. B. 438. An Act to establish as part of the State primary road system a road to be known as Project No. —, beginning on Federal Highway No. 62, at or near the farm known as the Mollie Pettit farm in Caldwell County, Kentucky, extending thence by Silver Star School House to what is known as the Emerson Place, colored, thence intersecting the Cadiz Road near Jim Tandy's place.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road beginning on Federal Highway No. 62, at or near the farm known as the Mollie Pettit farm in Caldwell County extending thence by Silver Star School House to what is known as the Emerson Place, colored, thence intersecting the Cadiz Road near Jim Tandy's place, be and the same is hereby designated and established as part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 442. An Act to add to the primary system a road from Elba on the State Highway No. 54 through the town of Delaware, Niagara to Anthoston to Highway No. 41, near Henderson.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road beginning at a point in State Highway No. 54 within one mile of the town of Elba in McLean County thence westwardly through the town of Delaware, thence across Green River at Delaware, thence with the Delaware Road in Henderson County through Niagara to Anthoston to the Robards and Henderson Road, thence to Road No. 41 near Henderson, be and the same is hereby established and designated as part of the primary system of State highways of the Commonwealth of Kentucky to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and con-

ditions as set out and provided for in page 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 443. An Act establishing as a part of the primary system of State highways a road beginning at a point on State Project No. 21 at Lair, Harrison County, Kentucky, thence via a point on 58a near Lebus Quarry; thence with the Grays Run and Mount Vernon Pike to a point in State Project No. 166; thence via White Oak to a point in State Project No. 229 at Breckinridge, Harrison County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky a road beginning at a point on State Project No. 21 at Lair, Harrison County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 444. An Act establishing as a part of the primary system of State highways a road beginning at a point on State Project No. 58b in Harrison County, at Tollgate House, thence via Shady Nook, Morning Glory and Salt Well to Carlisle in Nicholas County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary

system of the State highways of the Commonwealth of Kentucky a road beginning at a point in State Project No. 58b in Harrison County at Old Tollgate House, thence via Shady Nook, Morning Glory and Salt Well to Carlisle in Nicholas County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 445. An Act establishing as a part of the primary system of State highways a road beginning at a point on the Dixie Highway at Corinth, Grant County, Kentucky, thence via Stringtown, Colemansville, Berry, Kelat, Sunrise, to Oddville, Harrison County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky a road beginning at a point on the Dixie Highway at Corinth, Grant County, Kentucky, thence via Stringtown, Colemansville, Berry, Kelat, Sunrise to a point in State Project No. 58½ at Oddville, Harrison County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

H. B. 451. An Act to add to the primary system of State

highways a route starting at Jeffersonville, Montgomery County, at Tabor's Shop by Marion Martin's farm, thence over Morris Mountain to Cane Creek, thence on to Bowen Station, Powell County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby added to the primary system of roads of the Commonwealth of Kentucky the route starting at Jeffersonville, in Montgomery County, at Tabor's Shop by Marion Martin's farm; thence over Morris Mountain to Cane Creek; thence on to Bowen Station, in Powell County, Kentucky.

§ 2. This Act shall take effect according to the provisions of the Constitution of the Commonwealth of Kentucky.

H. B. 453. An Act to establish a primary road project to be known as Project No. —, beginning one-fourth mile south of Flippin, Kentucky, at a point known as the Frain Cemetery on Highway No. 100, via Deep Ford on Barren River, to Akersville, Kentucky, connecting with Tennessee Highway at Walker Springs.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary road system of the Commonwealth of Kentucky a road known as Project No. —, beginning one-fourth mile south of Flippin, Kentucky, at a point known as the Frain Cemetery on the Highway No. 100, via Deep Ford on Barren River to Akersville, Kentucky, connecting with Tennessee Highway at Walker Springs.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 454. An Act to establish a primary road project from Cannel City, Morgan County, Kentucky, via Grassy Creek, Woodsbend, and Yocum, to intersect with State highway at Wrigley, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at Cannel City on State highway; thence a northwest direction to Nickell; thence north to Grassy Creek; thence north on east side of Grassy Creek to Woodsbend, at or near the J. R. Gibson farm; thence to Dehart; thence to Yocum Post Office on Pleasant Run Creek; thence to Wrigley, Kentucky, intersecting with State highway.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Section 17 of the Acts of the General Assembly of 1920 as amended, to have the same effect as if said road had been named in the original Act, as one of the projects of the primary system of State highways as provided therein.

H. B. 366. An Act to add to the State primary system of roads a road from Highway No. 168 near James Bullock's residence at Maretburg to Bromo Post Office by J. D. Noe farm in Rockcastle County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the State primary road system a road from Highway No. 168 near James Bullock's residence at Maretburg to Bromo Post Office by J. D. Noe farm in Rockcastle County.

H. B. 367. An Act to be placed on the State primary system of roads a road from Livingston the nearest, and most practical route to the Devoult School House on Skaggs Creek in Rockcastle County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be placed on the State road primary system a road from Livingston the nearest, and most practical route, to the Devoult School House on Skaggs Creek in Rockcastle County.

H. B. 368. An Act to establish a new primary road project to be known as Project No. —, beginning at Blackey, Letcher County, Kentucky, and extending to State Highway No. 15, via Carcassonne Community Center.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road beginning at Blackey, Letcher County, Kentucky, and extending up Elk Creek, via Bull Creek, Carcassonne Community Center, and down Montgomery Creek to State Highway No. 15, be and the same is hereby established and designated as a part of the primary system of State highways of the Commonwealth of Kentucky and known as Project No. —.

The construction, maintenance and supervision of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the 1920 General Assembly, establishing and creating a primary system of State highways.

H. B. 371. An Act establishing as a part of the primary road system, a road leading from Danville and Lebanon Highway No. 168 and 68, to Penick Station, a distance of approximately one-half mile.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the State system of roads and highways, a road leading from Danville and Lebanon Highway No. 168 and 68 to Penick Station in Marion County, a distance of approximately one-half mile.

§ 2. The said road to receive all the benefits of a State highway set out in the Acts of 1920 creating a State system of roads and highways.

H. B. 376. An Act establishing as a State primary road in Allen County a road beginning at Dalton's Store on the Scottsville and LaFayette Road and running to Amos via Doddy to Long Creek at the Asbury Napier Ford.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and hereby is established as one of the primary road projects of the Commonwealth of Kentucky as follows, to-wit:

Beginning at Dalton's Store on the Scottsville and LaFayette Road, and running to Amos via Doddy to Long Creek at the Asbury Napier Ford.

Said project shall receive all the benefits allowed and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 377. An Act establishing as a State primary road in Allen County, a road beginning at Luther Stewarts in Allen County, Kentucky, on the Holland and LaFayette Pike, and extending to the Monroe County line via the farms of Ralph Johnson, Henry Bandy, Burt Lee and Leo White.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and hereby is established as one of the primary road projects of the Commonwealth of Kentucky as follows, to-wit:

Beginning at Luther Stewarts in Allen County, Kentucky, on the Holland and LaFayette Pike, and extending to the Monroe County line via the farms of Ralph Johnson, Henry Bandy, Burt Lee and Leo White.

Said project shall receive all the benefits allowed and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 379. An Act establishing as part of the primary system of the State highway, a road project leading from Milltown, Kentucky, via Portland and Pickett, in Adair County, Kentucky, to Mell, Kentucky, in Green County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways, of the Commonwealth of Kentucky, a road beginning at Milltown, thence to Portland, thence to Pickett, in Adair County, thence to Mell, in Green County, Kentucky.

§ 2. The construction, supervision and maintenance of said road shall be that provided for in Chapter 17 of the Acts of the General Assembly of 1920.

H. B. 380. An Act establishing as part of the primary system of the State highway, a road project leading from Milltown, Kentucky, to the Columbia and Edmonton Road near Union Church in Adair Co.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary road system of roads and highways of the Commonwealth of Kentucky, a road beginning at Milltown, Kentucky, thence to Milltown Church; thence to Columbia and Edmonton Road, at or near Union Church in Adair County, Kentucky.

§ 2. The construction maintenance, supervision and control of said road shall be the same as provided for in Chapter 17 of the Acts of the General Assembly of 1920.

H. B. 381. An Act establishing as part of the primary system of the State highway, a road leading from State Project 1-25-255 at or near Hobson, in Taylor County, to connect with State Project 41 1/2 at most available point.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established a road as a part of the primary system of highways of the Commonwealth of Kentucky, beginning at or near Hobson in Taylor County, on Project 1-25-255, thence via Saloma; thence to Durham to connect with State Project 41 1/2 at most available point.

§ 2. The construction, maintenance, and control of said road shall be the same as provided for in Chapter 17 of the Acts of the General Assembly of 1920.

H. B. 382. An Act establishing as part of the primary system of the State highways, a road project leading from Columbia and Edmonton Road at or near Bliss, Kentucky, to Columbia and Greensburg Road at or near James Grissom Farm, in Adair County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Columbia and Edmonton Road near Bliss, Kentucky; thence to Prices Chapel Church; thence to Columbia and Greensburg Road at or near the farm of James Grisson in Adair County.

§ 2. The construction, maintenance, and control of said road shall be the same as provided for in Chapter 17 of the Acts of the General Assembly of 1920.

H. B. 383. An Act establishing as part of the primary system of the State highways, a road leading from Campbellsville to Spurlington in Taylor County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is now established as one of the primary road projects of Kentucky, a road beginning at Campbellsville, Taylor County, thence to Spurlington.

§ 2. Said road to be known as Project No. —, and said project shall remain and be entitled to all the benefits allowed and provided for in Chapter 17 of the Acts of the General Assembly of 1920.

H. B. 384. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State highway primary system of highways in this Commonwealth the following route, to-wit:

Highway leading from Hillsboro to the intersection of the Flemingsburg and Morehead Highway one mile southeast of Fleming and Rowan County line; via Ringos Mills, in Fleming County and Sharkey, in Rowan County.

This route when established to be designated as Project No. —, and to be entitled to and to receive all the benefits with relations to the primary system under the laws of Kentucky.

H. B. 385. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State highway primary system of highways in this Commonwealth the following route, to-wit:

From the City of Flemingsburg, Fleming County, at the Christian Church on State Highway No. 11 and following as near as practicable the old Fox Spring Turnpike via Wallingsford; thence by Browning's Orchard near Park Lake to the Lewis County line at the head waters of Kinniconnick Creek to Petersville, Lewis County, connecting with the State highway survey to the City of Vanceburg, Kentucky.

The route so established to be designated as Project No. —, and to be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relations to the primary system of State highways.

H. B. 386. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State highway primary system of highways in this Commonwealth the following route, to-wit:

Beginning at the Flemingsburg & Morehead State Highway near Plummers Landing; thence through Plummers Landing, via Muses Mills, continuing up East fork of Fox Creek to the mouth of Sugar Tree Run; thence up said branch to the Lewis County line at the head of Sargent Branch to the

waters of Kinniconnick: thence with said creek to Petersville, Lewis County, Kentucky.

This route when established to be designated as Project No. —, and to be entitled to and receive all the benefits re lating to the primary system.

H. B. 388. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at the Allen and Warren County line of the upper Scottsville and Bowling Green Road and extending to Noes' Store on the Scottsville and Gainsville Road and passing by Britt's Mill and Settle, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at the Allen and Warren County line on the upper Scottsville and Bowling Green Road and extnding to Noes' Store on the Scottsville and Gainsville Road and passing by Britts' Mill and Settle, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17, of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways to the same effect, as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided herein.

H. B. 398. An Act creating and establishing as a part of the State primary system of road and highways a road project, beginning at Buckhorn, a city on the middle fork of the Kentucky River; thence, up the same, so as to intersect with Project No. 80, at Hyden, the county seat of Leslie.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Buckhorn, a city on the middle fork of the Kentucky River; thence, up the same so as to intersect with Project No. 80, at Hyden, the county seat of Leslie.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to the terms provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of roads and highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways of the Commonwealth of Kentucky.

H. B. 399. An Act creating and establishing as a part of the State primary system of roads and highways a road project, beginning at Pineville, Kentucky; thence, up the right fork of Straight Creek and down the middle fork of the Kentucky River. So as to intersect at a point on the Harlan-Hyden Highway.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky a road, beginning at Pineville, Ky., thence, up the right fork of Straight Creek and down the middle fork of the Kentucky River. So as to intersect at a point on the Harlan-Hyden Highway.

§ 2. The construction, maintenance, supervision and con-

trol of said road shall be subject to the terms provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of roads and highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways of the Commonwealth of Kentucky.

H. B. 402. An Act to amend Kentucky Statutes Section 4356t-5, which is an Act designating primary State roads, by adding thereto Project No. —, described as beginning at a point in Road No. 22, in Crestwood, Oldham County, Kentucky, thence running by the way of Lake Louisvilla over new right-of-way to road in Jefferson County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5, be and the same is amended by adding thereto Project No. —, to road as follows:

Project No. —. Beginning at a point in Road No. 22, in Crestwood, Oldham County, Kentucky, thence running by the way of Lake Louisvilla, over new right-of-way to road in Jefferson County, Kentucky.

H. B. 401. An Act establishing as a part of the State highway system, a road, Project No. —, from Whitesburg, Kentucky, to Line Fork in Letcher County, Kentucky, intersecting with road Project No. —.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is hereby established as a part of the primary system of State roads and highways in the Commonwealth of Kentucky, to-wit:

Beginning at Whitesburg, Letcher County, Kentucky, thence with the North Fork of the Kentucky River, to the mouth of Big Cowan Creek, thence up and with said Big Cowan Creek, to Kings Creek, thence, with the meanders of Dry Fork Creek, to Line Fork Creek, and intersect with State Road Project No. —.

Said project shall be entitled to all the privileges, benefits, and conditions now given by any Act to any of the primary roads in this Commonwealth.

H. B. 411. An Act to establish as a part of the primary system of State highways a road from the Sandy Hook and Louisa Road near the J. L. Hulett Farm in Lawrence County to the Mayo Trail on George's Creek.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following: A road beginning on the Sandy Hook and Louisa Road near J. L. Hulett's Farm in Lawrence County, thence up Brushy Creek to near Wilbur Post Office, thence to the head of the right fork of Little Blain, thence to Charley, Kentucky, thence down George's Creek to intersect the Mayo Trail.

Said project thus established as a part of the primary roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any Act or law to the primary roads of this Commonwealth.

H. B. 412. An Act to establish as part of the primary road system of roads and highways of this Commonwealth, a road beginning at the farm of Mike Noe on the Lancaster-Richmond Road and extending in a southerly direction, passing the sight of "Uncle Tom's Cabin," thence by the store

of Sam Hurt and to the Lancaster-Crab Orchard Road, at or near the bridge over Dix River.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as part of the State highway primary system of highways in this Commonwealth the following road: Leaving the Lancaster-Richmond Road at the farm of Mike Noe, and running in a southerly direction, passing the sight of "Uncle Tom's Cabin," Sam Hurt's Store; thence to a point on Lancaster-Crab Orchard Road at the Dix River Bridge.

This route thus established to be known as "Uncle Tom's Trail," and be entitled to all the benefits and subject to all the laws now and are thereafter inforced with relation to same.

H. B. 420. An Act to add to the primary system of roads in Rockcastle County from the entrance of the Dughill Road into Highway No. 138 to Bishop's Store.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the primary road system in Rockcastle County a road from the entrance of the Dughill Road into Highway No. 138 by the French Farm, thence with Negro Creek to Bishop's Store.

H. B. 404. An Act to establish as a part of the primary system of State highways of the Commonwealth of Kentucky a road from Summersville by way of Gabe, Gardner's Mill, Quisenberry Chapel, Green County, to the Jackson Highway near Lynnwood, Hart County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary system of State highways of the Commonwealth of Kentucky a road running from Summersville, Kentucky, by way of Gabe, Gardner's Mill and Quisenberry Chapel, Green County, to the Jackson Highway near Lynnwood, Hart County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

H. B. 407. An Act to add to the primary system of roads a road from Manchester Pike, near Johnston School House, to Burning Springs, by Langnau Post Office, and Crawford Post Office, in Laurel County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the primary road system a road from the Manchester Pike, near Johnston School House, to Burning Springs by Langnau Post Office, and Crawford Post Office in Laurel County.

H. B. 408. An Act to add to the primary system of roads a road from Nelson's Store to Green Mount Post Office in Laurel County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the primary road system a road

from Nelson's Store to Green Mount Post Office in Laurel County.

All of the foregoing bills referred to the Committee on Roads and Highways.

Senator Ragan of the Committee on Public Health, to which had been referred a bill of the following title:

S. B. 293. An Act providing for the protection and assistance of aged and needy persons in the Commonwealth of Kentucky, and prescribing penalties for violation of the provisions hereof.

Reported with expression of opinion that same ought to pass.

Senator Pogue, of the Committee on Kentucky Statutes, No. 1 to which had been referred a bill of the following title:

S. B. 307. An Act to amend Section 7 of Chapter 35, Acts of the General Assembly of 1914, (Section 415-B-7 Kentucky Statutes, 1922-30) relating to Pensions for Confederate soldiers.

Reported with expression of opinion that same ought to pass.

Senator Rogers of the Committee on Education, to which a bill of the following title had been referred:

S. B. 152. An Act to repeal Chapter 13 of the Acts of the General Assembly of 1912, same being Sections 4398a-1, 4398a-2, 4398a-3, 4398a-4, 4398a-5, Carroll's 1922 Edition Kentucky Statutes, relating to the inspection of school funds and authorizing the State Superintendent of Public Instruction to act as Special State Inspector and Examiner of all schools in cities, towns and counties receiving funds directly or indirectly from the State or said cities, towns or counties and to amend and re-enact Section 4623, Carroll's 1922, Edition Kentucky

Statutes by adding thereto the following words, to-wit: "It shall be the duty of said State Inspector once each year to inspect and examine into the fiscal management and conduct of the office of all school officials, whose duty it is to receive, handle or disburse the public school funds of the State or any city, town, county or taxing district, and to make a written report to the Governor and also to the Commonwealth's Attorney and County Attorney of the county or district where such inspection is made."

Reported with expression of opinion that same ought to pass.

Bills of the following titles were introduced, referred and ordered printed, as follows, viz.:

By Senator Allie W. Young.

S. B. 333. An Act relating to registration and other means of identification of voters for elections in counties of the Commonwealth containing a city of the first class; providing the revenue to defray the expenses of such registrations; repealing Chapter 48 of the Acts of the General Assembly of 1930 relating to and governing registration of voters for elections in cities of the first class to the extent that same relates to the registration of voters incites of the first class for the general November election of 1932 and thereafter.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Common wealth of Kentucky:

§ 1. That in so far and to the extent that Chapter 48 of the Acts of the General Assembly of 1930, approved February 26, 1930, relates to and governs the registration of voters in cities of the first class, said Act and the provisions thereof are hereby repealed to the extent that same relates to and

governs the registration of voters for the November election of 1932 and thereafter.

§ 2. Every citizen of the United States, not otherwise disqualified by the laws of this Commonwealth, who is twenty-one years of age, or who will become twenty-one years of age on or before the next regular election to be held in November of any year, or on or before the date of any special election, who will have been a resident of the State of Kentucky one year, and the county six months, and of the precinct, in cities or towns of the first class in such county, in which he or she offers to vote, sixty days next preceding such election and who has registered as provided by this Act, and who is otherwise qualified, shall be entitled to vote for all offices elective by the people and on all measures or questions submitted for determination by the voters at any regular or special election.

§ 3. There is hereby created, in such county having a city of the first class in the State of Kentucky, a Board of Registration Commissioners designated as "The Board of Registration Commissioners of the County of ....." The administration of registration for elections in such county shall be centralized under the supervision and control of said board, as herein provided, in a single office.

§ 4. Said board shall be bi-partisan and consist of four members to be appointed by the Board of Election Commissioners of such county in the manner herein provided. They shall be citizens and electors of the county from which they are appointed, and not less than twenty-five years old. The first members of said board shall be appointed as soon as this Act becomes effective and they shall hold office until June 15, 1936, or until their successors are appointed and qualified. In 1936, and every fourth year thereafter, members of said board shall be appointed in the same manner and at the time herein provided, whose term of office shall be for four years from the 15th day of June, of such year, and until their successors are appointed and qualified. Members of said board shall be eligible for reappointment and to succeed themselves. The chairman of the county and city executive committees of the two

political parties having representation on the county board of election commissioners, in the county in which such city of the first class is situated, may immediately upon this Act becoming effective and every fourth year thereafter, designate in writing a list of four names to the county board of election commissioners and from these names, if any are so designated, the members of said Board of Registration Commissioners shall, within five days, be appointed from said lists as follows: Two from each list so that said board shall be composed of an equal number of members from the said two political parties, represented as hereinabove stated. If no lists are submitted to said county board of election commissioners, then said members shall be so selected and appointed so that two shall be of one such political party and two of the other such political party. It shall be the duty of the county board of election commissioners to determine the qualifications of said members before appointment. The county board of election commissioners shall have the power to remove any member of said board who is or shall become disqualified under the provisions of this Act. No removal shall be made at any time without cause, and the grounds shall be reduced to writing by said county board of election commissioners. Said commissioners, or any employee of said board, may be removed by the written request, properly certified to show that said action was legally taken, of the county and city executive committee of the party responsible for the appointment of said member or employee. If a vacancy shall occur by removal or otherwise, it shall be filled by the county board of election commissioners, or by said Board of Registration Commissioners, according to who made the original appointment, from a supplemental list of names, furnished in like manner as above provided, and in conformity with the provisions of this Act, and the member so appointed shall be of the same political party as his predecessor. If there shall be two or more contending county and city executive committees of the same political party in the county, then that executive committee which is recognized by the State Central Committee of such party, by the written certificate of the chairman thereof, shall be recognized by the County Board of Election Commissioners in making the appointment of

members of the Board of Registration Commissioners. Resignation from said board shall be in writing, directed to the county board and filed with the secretary thereof. The acceptance of any office, either elective or appointive, or becoming a candidate for any elective office, by any member of said board or employees, during his or her term of office shall, ipso facto, vacate said office. No members of the county and city executive committee of either party shall be eligible to membership on the said board of Registration Commissioners, nor to any clerical or other position under said board.

§ 5. The Board of Registration Commissioners of such county shall establish, maintain and be furnished offices in the county courthouse or County Armory of the county in which such city is situated. Said offices of said board shall be maintained permanently.

Said board is hereby authorized to organize and equip its offices in such manner as it may deem necessary and consistent with the provisions of this Act. The expense of supplies for and of organizing, equipping and maintaining said offices, shall be paid out of the County Treasury. Said board is hereby further authorized to appoint two chief clerks and two competent stenographers. The two chief clerks and stenographers shall hold office as herein provided, but shall be removable by the Board of Registration Commissioners for cause, and the grounds and action taken thereon by the Board shall be reduced to writing by said Board and made a part of its records. The County and City Executive Committees of the two political parties having representation on the County Board of Election Commissioners, may each, immediately upon the appointment of the first members of said Board of Registration Commissioners, as herein provided, and not later than ten days thereafter, designate in writing a list of not more than two names for clerks and two names for stenographers to the Board of Registration Commissioners and from these names, if they are so designated, the two chief clerks and two stenographers of said Board shall, within two days, be appointed from said lists as follows:

One chief clerk and one stenographer from each of said lists. If no such lists are submitted to said Board, then the chief clerks and stenographers of said Board shall be so selected and appointed as that one clerk and stenographer shall be of one political party and the other clerk and stenographer of the other political party. If said Board of Registration Commissioners can not agree upon the person or persons to be appointed as chief clerks of said Board, and a tie-vote results, then the deciding vote shall be cast by the County Board of Election Commissioners. The Board of Registration Commissioners is hereby authorized to employ such other deputy clerks or employees from time to time and for such periods of time as, in the opinion of said Board, may be necessary for the proper conduct of the business of said offices. The four Registration Commissioners, the two chief clerks and the two stenographers shall constitute the permanent force of Registration employees. They shall devote their entire time, during office hours, to the work of registration and shall not engage in any other work. The Commissioners shall each receive an annual salary of two thousand four hundred dollars and the chief clerks and stenographers shall each receive an annual salary of one thousand eight hundred dollars. Additional or extra deputy clerks or employees shall be paid such compensation as may be fixed by the Board of Registration Commissioners, not to exceed compensation at the rate of one hundred and fifty dollars per month per person. The salaries and compensation of said chief clerks, stenographers, deputy clerks and employes shall be paid by the county in which said city is situated and in the same manner and at the same time that county officers are paid.

§ 6. All employees under this Act shall be selected in equal numbers from lists submitted by the City and County Executive Committees of each political party having representation on the County Board of Election Commissioners. All appointments from said lists shall be made by the Board in the order in which the names appear thereon.

If a majority of said Board can not agree upon any question which arises in connection with the administration of its

office, not otherwise provided for, and which is within the jurisdiction of said Board, then the chief clerk of said Board shall be entitled to vote in the following manner: On the first disagreement the chief clerk of the Democratic party shall break the tie and on the next tie vote the chief clerk of the Republican party shall break the tie, and thereafter the two chief clerks shall alternate in voting to break the tie vote.

§ 7. There shall be conducted in every county having a city of the first class, under the supervision of the Board of Registration Commissioners for said County, the following registrations, which shall be permanent, which means that the registration of any voter is continued so long as he or she resides at the registered address. First: A general initial registration in each precinct on the days and in the manner herein provided, which shall form the basis of the records to be established and kept at the office of said Board as provided herein. Thereafter there shall be no further general registration in the precincts in such city except as is otherwise provided herein. Second: After said general initial registration all further registrations must be made at the offices of the Board of Registration Commissioners in said county in the manner herein provided.

§ 8. The general initial registration herein provided for shall be held and conducted in the manner herein provided in each precinct in each county containing a city of the first class on the 11th and 12th days of July, 1932.

§ 9. During and at said initial registration and thereafter, individual registration records shall be made and preserved by or under the supervision of the Board of Registration Commissioners in counties having a city of the first class as herein provided, for each qualified voter in said counties in the form of loose-leaf pages. Said registration records shall be maintained in triplicate. The original records and one copy thereof shall be filed in loose-leaf binders by precincts and shall constitute the precinct registers, to be used as herein provided; the other copy of said records shall be

filed in a loose-leaf binder or binders, without regard to precincts, in alphabetical order, for the entire county, to be used as herein provided.

§ 10. It shall be the duty of the Board of Registration Commissioners, constituted and appointed as herein provided, of counties having a city of the first class, not later than the 5th day of July, 1932, to appoint for each precinct in said county two judges, one clerk and one sheriff of registration, to act as registration officers in such precinct, at the general initial registration herein provided for, who shall be residents of said county and who shall serve and act as such for the days during which said general initial registration, herein provided for, shall be held in the year 1932.

The County and City Executive Committees in such cities, of the two political parties having representation on the County Board of Election Commissioners shall each, on or before the 1st day of July, 1932, designate in writing for each of said precincts a list of not less than four names to the Board of Registration Commissioners, and from these names, if any are so designated, the officers of registration shall, within five days, be appointed from said lists as follows: One judge at each place of registration shall be selected from each of said lists and in like manner the sheriff shall be chosen from one of said lists and the clerk from the other, and sheriffs clerks for said precincts shall be appointed alternately beginning with the first precinct in the first ward and so on through the last precinct in the last ward and in every election precinct in the county, so that each of such political parties shall have in each city of the first class and in every election precinct in the county having a first class city as near an equal number of sheriffs and clerks as possible. If no lists are submitted to said Board of Registration Commissioners, then the officers of said initial registration shall be so selected and appointed by said Board as that one of the judges at each place of registration shall be of one such political party and the other judge of the other such political party, and there shall be a like difference at each registration place between

the sheriff and clerk of registration. No person shall be eligible as an officer of registration who has been convicted of a felony or is under indictment therefor, or who is not sober, temperate, discreet and of good demeanor, or who has anything of value wagered on the result of the next election, or who is a candidate to be voted for at the next election, and who is not capable of reading the Constitution of the Commonwealth of Kentucky in English and of writing a plain hand. It shall be the duty of the Board of Registration to determine the qualification of said registration officers before appointment. The Board of Registration Commissioners shall have the power to remove all registration officers who are disqualified under the provisions of this act, but no such removal shall be made at any time without cause, and the grounds shall be reduced to writing by said board and made a part of its records. If a vacancy shall occur by removal or otherwise, it shall be filled by said board from the list already submitted, if any, from which the officer was selected, and in conformity with the provisions of this Act. The Board of Registration Commissioners shall give due notice of said appointment of registration officers to the sheriff of the county in which said city is located, who shall, within five days next after said appointment, give each officer of registration written notice of his appointment. If there shall be two or more contending executive committees of the same political party in the county, then that executive committee which is recognized by the State Central Committee of such party, by written certificate of the chairman thereof, shall be recognized by said Board of Registration Commissioners in making the appointment of registration officers.

Should the Board of Registration Commissioners fail to appoint such officers of registration or if any of such officers fail to attend for thirty minutes after the time for commencing the said general initial registration, or refuse to act, the officer in attendance representing the same political party of the absentee shall appoint a suitable person to act in his stead for said registration; or if both representatives of the same political party are absent, the qualified voters present affiliat-

ing with the party of said two absentees shall select, viva voce, suitable persons to act in their stead. Such officers of registration shall, before entering upon the duties of their office, take an oath faithfully to discharge their duties as such officers before some person authorized to administer an oath, of if such person can not be present it may be administered by the clerk of the registration, who shall in turn be sworn by one of the judges of registration.

§ 11. The fact that a person has been appointed and is an election officer shall not disqualify such person from being appointed or as acting as a registration officer at the initial registration herein provided for.

§ 12. The registration officer for the initial registration herein provided for in each election precinct of said county having a city of the first class in this Commonwealth, shall, on July 11, 1932, proceed to register the qualified voters in each precinct, as provided herein, and such registration officers shall, beginning on said day, sit for two consecutive days between the hours of 6:00 A. M. and 7:00 P. M. for the purpose of registering the qualified voters in each precinct, as herein provided.

§ 13. Each political party having registration on the County Board of Election Commissioners shall have the right, for, at and during said initial registration, to appoint one challenger in each precinct by certifying the name of such challenger to the officers to permit such challenger to remain in the place where said registration is being conducted for the purpose of challenging the right of any person to register.

§ 14. Officers of registration at said general initial registration shall have the same power to preserve order at the place of registration as is exercised by sheriffs of election at polls. Said officers shall register every citizen of the United States in his or her respective precinct in such county who shall apply to be registered at the time and place and in the manner required by law, who is legally qualified to vote at

the next election after such registration. Every person so applying to be registered shall be required to sign in triplicate his or her first, middle and last name in full, in his or her own handwriting, upon loose-leaf registration record forms to be used in his or her respective precinct, and which signature shall be attested by the clerk and sheriff of said precinct, and there shall also be entered on said original loose-leaf registration record form, in proper places provided therefor, the name of such person applying, address of such person, the color or race and sex of such person, his or her apparent weight and apparent height, his or her party affiliation, his or her occupation, if any, at the time of such registration, the birth-place and date of birth or apparent age of such person; length of time in state, county and precinct; if naturalized; when and how, and other means of identification, and the date of such registration. The original loose-leaf record forms shall also contain blank spaces sufficient for six years of comparative signatures of voters which must be made on original registration record before ballot is issued voter. Where voter swears he is unable to write the word "sworn" should be written in blank for said year's election by clerk of precinct.

In the event any person applying to register shall state that he or she can not write his or her name, as above provided, the clerk shall swear such person and the officers of registration shall make such investigation of the case as they deem necessary, and after such oath has been taken and such investigation made, and if it shall be determined that such person is entitled to register, the clerk shall sign the loose-leaf registration record form for such person, and such person shall sign said record by making his or her mark thereon, and the clerk shall attest such mark and note on said record that said person's name was signed at the request of the person so registered and upon oath and testimony that such person could not write.

If any officer of registration, or any challenger, entertain any doubt as to whether or not any person offering for registration is entitled to such registration, or if any one's right

to register is challenged, citizens may be called in, not exceeding three in number, who shall be examined touching the qualifications of such person or persons who offer to register. In making registration the clerk shall act as the recording officer, and the judges shall decide all questions relating to the qualifications of persons offering to be registered, except that, in case of a difference of opinion between the judges, the clerk shall have the deciding vote.

It shall be the duty of the sheriff of each county in which there is a city of the first class to furnish a suitable and convenient place in each precinct for such initial registration.

It shall be the duty of the officers of said general initial regitration in each precinct to return the individual registration records in the form of loose-leaf pages, which have been signed as herein provided, and all unsigned pages, blanks, forms and all paraphernalia to the office of the Board of Registration Commissioners of the county in which the said initial registration is held, not later than two days after the holding of said initial registration, and said board shall immediately cause to be made four exact copies of the records of each person who registered at said general initial registration. For the purpose of making the said copies of said records of said general initial registration, the Board of Registration Commissioners is hereby authorized to employ such necessary additional temporary extra employees and help, in addition to the clerks and employees provided for in Section 5 of this act, in order that the records of said board and the work herein specified shall be completed within thirty days after initial registration. Such additional temporary extra employees shall be paid in the same manner as is provided in Section 5 of this act for the payment of the clerks and employees thereby authorized. Said board shall preserve the original record of each registrant, signed by him or her, and two of said copies thereof, in its office, arranged as herein provided. Said board shall then furnish one copy of said records aforesaid to each of the city executive committees of the two political parties having representation on the County Board of Election Commissioners.

The chief clerks and employees in said office shall file, arrange and group the original signed loose-leaf registration records or pages, and one set of signed copies thereof, according to precincts, to be known as precinct registers. Said precinct registers shall be arranged in order by streets and numbers in each respective precinct, except in precincts outside the corporate limits of said city of the first class, the said two registration records shall be arranged in alphabetical order according to the last names of said voters. Where more than a single voter is registered at one and the same address said loose-leaf registration record of said voters at said address shall, in said precinct register, be arranged in alphabetical order under said address according to the last names of said voters. The other set of signed copies of said loose-leaf registration records, retained by said board, shall be filed and arranged without regard to precincts in alphabetical order for the entire county according to the last names of said voters.

Upon each primary, special or general election, the precinct registers, containing the original loose-leaf registration records, signed by the voters, after having first been securely locked in the loose-leaf binders provided therefor, shall be turned over by the board to the regularly appointed clerks of election of each respective precinct for their use in holding said election. Said clerks shall sign receipts for said precinct registers and within two days after such election or primary said clerks shall return said precinct registers to the office of said board and receive a receipt therefor.

Before a ballot shall be issued to any such person, applying therefor and writing his or her name on the said original registration record, as provided for herein, it shall be the duty of the judges of the election in that precinct to compare the signature of every such person, as soon as he or she has so written his or her name, as herein provided, with the signature of said person on the loose-leaf registration record in the precinct register. The challengers of the respective political parties present shall also have the right to compare said signatures at the same time said comparison is made by said

judges of the election. If the signature does not correspond with and is not the same as the signature on the original registration record in that precinct register, a ballot shall not be issued to the person so applying. In case of a difference of opinion between the judges over said signature, the sheriff of the election shall have the deciding vote. And if a ballot is issued to such person in violation hereof, the election officer or officers issuing such ballot or consenting thereto and the person receiving same, shall severally be guilty of a felony and such offense shall be punishable by a fine of not less than one hundred dollars nor more than one thousand dollars for each offense or imprisonment in a state penitentiary for not less than one year nor more than five years, or both such fine and imprisonment. And if any election officer wrongfully and wilfully refuses to issue a ballot to a person entitled to same, he shall be guilty of a felony and such offense shall be punishable by a fine of not less than one hundred dollars nor more than one thousand dollars for each offense, or imprisonment in the penitentiary of not less than one year nor more than five years, or both such fine and imprisonment.

In the event any person applying to vote at any election shall state that he or she can not write his or her name as above provided, the clerk in that precinct shall immediately swear such person as to his or her name and his or her inability to write his or her name and thereupon he and the challengers of the respective political parties shall examine the loose-leaf registration record in the precinct register, and if it be shown by said record that the person of that same name signed his or her name on the loose-leaf registration record in his or her own handwriting, a ballot shall not be issued to the person so applying. And if a ballot is issued to such person in violation thereof the election officer or officers issuing such ballot or consenting thereto and the person receiving same, shall severally be guilty of a crime and such offense shall be punishable by a fine of not less than one hundred dollars nor more than one thousand dollars for each offense, or imprisonment in a state penitentiary for not less than one year nor more than five years, or both such fine and

imprisonment. And if a ballot is wrongfully and wilfully refused to a person entitled to vote, the election officer or officers so refusing such ballot or any election officer or officers consenting to said refusal shall severally be guilty of a felony and such offense shall be punishable by a fine of not less than one hundred dollars nor more than one thousand dollars for each offense, or imprisonment in the penitentiary for not less than one year nor more than five years, or both such fine and imprisonment.

§ 15. The Board of Registration Commissioners and the Chairman of the County and City Executive Committee, in said county, of each of the two political parties having representation on the County Board of Election Commissioners shall constitute and compose a board to prepare proper loose-leaf registration blanks, forms and loose-leaf binders for the registration of voters as herein provided. It shall be the duty of said committeemen and board to have said loose-leaf registration blanks, forms and binders properly prepared on or before the 5th day of July, 1932, by which date the necessary blanks, forms and binders shall be in the hands of the Board of Registration Commissioners of each county having a city of the first class in the State for distribution to the officers of the initial registration in each precinct of said county as herein provided. Said loose-leaf registration blanks, forms and binders shall be printed, prepared and furnished as other books are now printed and prepared for the Commonwealth. Said blanks, forms and binders shall be paid for by each county out of the county treasury, as is now provided by law for the payment of any and all other blanks, forms and books furnished each county by the State of Kentucky. The forms of the loose-leaf registration record for each voter shall be four and one-half by seven and one-half inches, and in forms as follows:

REGISTRATION RECORD.

.....

Sex, Color, Party, Last Name, First Name, Middle Name, Pct. Ward.

.....

Occupation Number Street

Will you be 21 years of age or

AGE over at next general election

.....

Birthplace

If

Weight Ft. In. Naturalized

.....

Height Date Where Court

In State years In county months In precinct days

.....

State of Kentucky
County of—ss.
Jefferson

Other means of identification

Subscribed and sworn to before me this .....day of ..... 19 .....

His or her mark.

I do solemnly swear or affirm that I possess the legal qualifications to register and that the statements made by me herein are true to the best of my knowledge and belief.

.....

Signature of applicant.

Attest

Attest

.....

Prct. Clerk, Board Member or Employee

Sheriff, Board Member or Employee

The above registrant stated under oath that he could not write his name and at his request I signed his name for him.

Attest Attest

.....

Signature Signature

1932 Primary	1932 Election .....
1933 Primary	1933 Election .....
1934 Primary	1934 Election .....
1935 Primary	1935 Election .....
1936 Primary	1936 Election .....
1937 Primary	1937 Election .....

§ 16. Each officer of registration for said general initial registration shall receive as compensation the sum of five dollars per day for each day he or she is required to register voters, to be paid out of the county treasury.

§ 17. After a person has once registered in the precinct in said county or city in which he or she resides, either at the initial registration or thereafter, as herein provided, it shall not be necessary for such person again to register except as herein provided. If and when said person moves from the precinct in which he or she is registered into a different precinct, such person, before he or she shall be permitted to vote in any election, shall have his or her registration record canceled and register in new precinct in the manner herein provided.

§ 18. Only the persons who are duly and properly registered, as herein provided, more than fourteen days preceding any primary election in each year shall be permitted to participate in and vote at such primary election. During the period commencing on the 14th day preceding any primary election in any year, and lasting through the day on which such primary election is held, any person legally qualified to register but who has theretofore failed to register, or who desires to change his or her registration, may register or

change his or her registration in the manner herein provided; but such person shall not be entitled to participate in or vote at such primary election in that year. It shall be the duty of the Board of Registration Commissioners to register such persons, or to change their registration records, who apply during such period. But said Board shall not place the registration records of such persons in the respective precinct registers until after the primary election in that year has been held, provided the provisions of this Act and the registrations made thereunder shall not apply to nor affect the qualification of any voter in any primary or special election held previous to the regular November election of 1932. The registration records now in force in cities of the first class in the State of Kentucky shall be used in the regular August primary of 1932 or in any special election that may be called, and the special primary registration for said August primary of 1932 shall be held as now provided by law to supplement said present registration records, and those voters residing outside of a city of the first class in said counties shall be required to register under the provisions of this Act for qualification to vote in the general November election of 1932 and thereafter.

§ 19. After the general initial registration in 1932 has been held, as herein provided for, no person shall be permitted to register until the Board of Registration Commissioners opens its offices as herein provided. Commencing August 1, 1932, the Board of Registration Commissioners of such county shall open its offices for the purpose of conducting and making all further and future registrations in such county of such qualified voters of such county as have heretofore failed to register in the precinct in which they live or who have moved from the precinct in which they had registered into a different precinct in said county. Said office shall be maintained and kept open every day in each year between the hours of 8:30 A. M. and 5:00 P. M. excepting Sundays and legal holidays, and excepting the period of 60 days each year commencing 55 days preceding any election held in November of any year. Provided, however, that said offices may be kept open until

10:00 P. M. on two days out of each month, to be fixed by the Board, except during the said 55 day period when such offices are closed as herein provided. Said offices may be closed at 1:00 P. M. on Saturdays if and when such closing is authorized by said board. Commencing on the 55th day preceding the November election in each year and for a period of 60 days thereafter, no person who has not theretofore registered shall be permitted to register or transfer to any other precinct in such county during such period. For the purpose of registering persons not theretofore registered, said offices during said 60 day period shall be deemed closed. Except during the hours and periods in each year when said offices shall be closed, as herein provided, any person, qualified to register in said county containing a city of the first class, who has not theretofore registered, may, upon going in person to the Board of Registration Commissioners in said county, register in the manner herein provided. Said registration shall be made in the same general manner provided herein for registration at the initial registration, and under such rules as the Board of Registration Commissioners shall adopt, consistent with the provisions of this Act. The same number of copies of said registrations shall be made, preserved, and disposed of, in the same manner as provided in Section 14 of this Act. At any time during the year, excepting said 60 day period, any person who is registered in said county and who has moved from the precinct in which he or she is registered to a different precinct in said county, may, upon going in person to said office, have his or her prior registration changed in the manner herein provided.

It shall be the duty of any person who is registered under this Act and who moves thereafter from the precinct in which he or she is registered to a different precinct in said county, to go in person, as soon as possible after such removal, to the office of the Board of Registration Commissioners and have former registration record canceled and then register from present address. And if such removal or removals took place more than 60 days prior to the next election, and said person at said time is otherwise qualified to register, it shall be the

duty of said Board to cancel former registration and have applicant register from present address.

§ 20. Whenever and wherever the boundaries of any precinct are changed by law, and such change places a registered voter of any old precinct in a new or different precinct, it shall be the duty of the Board of Registration Commissioners and its officers and employees to transfer the individual registration records of such voters in said old precinct to the proper new precinct register in which such voters are placed by said change of boundaries. And said transfer shall be made without any application therefor by such registered voters. Such change of precinct and ward numbers and the date thereof shall be noted in the individual registration records of such voters, and a notice shall be mailed by said board to such voters advising him or her of such transfer.

§ 21. Any registered voter may, at any time during office hours of the Board of Registration Commissioners, change his or her party affiliation by appearing in person before the officers and employees of said board at its offices and making application that such change be made. It shall then be the duty of the board to cancel the former registration record and have applicant register in order to change party affiliation.

§ 22. Any person who shall disturb, intimidate, abuse or by force or other unlawful means hinder, delay or disturb or attempt to hinder, delay or disturb, any officer of registration, while performing his or her official duties, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars. And any person who shall intimidate, abuse, or by force or threat attempt to intimidate or prevent any lawful registrant from registering shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than fifty dollars, or confined in jail for not less than ten days nor more than thirty days.

§ 23. If and when any person is denied proper registra-

tion by the registration officers at the initial registration or by the officials or employees in the office of the Board of Registration Commissioners, or if the registration record of any person is altered in any way, or transferred, such person or either of the executive committees, may appeal to said Board of Registration Commissioners for a hearing and correction in respect to said registration alteration or transfer. The hearing of such appeal shall be conducted in the manner and under such rules and regulations as may be adopted by said board and not inconsistent with the provisions of this act. No such appeal, in respect to any action on the part of said registration officials, may be filed later than thirty days prior to any election. The board shall proceed to hear such appeals as soon after same are filed as possible, but not later than ten days thereafter, and in each case it shall make and file its written order disposing of same. If upon such appeal registration, or correction, is denied by said board, then and in that event such person, so denied, or either of the executive committees, shall have the right, not later than five days after said final order is filed, to appeal such order of said board to the Election Commissioners of the county in which such city is located by filing with the clerk of such Board of Election Commissioners a petition of appeal. Such appeal shall be heard by said Board of Election Commissioners de novo. Upon the filing of such petition it shall be the duty of said clerk to cause to be issued immediately a notice thereof to the Board of Registration Commissioners and place same in the hands of the sheriff of such county who shall within twenty-four hours serve said notice on one of the chief clerks. It shall be the duty of said chief clerk immediately to mail a notice of said appeal to each of the County Executive Committees of said county, of the political parties represented on the County Board of Election Commissioners. Said cases shall be docketed for a hearing on the seventh day after same are filed with the clerk, or upon the order of said Board of Election Commissioners, may be heard on an earlier date, in which case the clerk shall give notice of such order by mail to the petitioner and the Board of Registration Commissioners. Appeals may be presented from the decisions of the Board of Election Com-

missioners to the circuit clerk in the time and manner provided for civil appeals.

§ 24. Any officer of registration who shall wilfully fail to perform his or her duty, as set forth in this act, shall be guilty of a misdemeanor, and upon conviction be fined not less than ten dollars nor more than one hundred dollars.

§ 25. The following means and methods shall be used to purge the registration records, herein provided for, and keep them corrected up to date, to-wit:

(1) The Board of Registration Commissioners shall preserve the original records of all registration records which are canceled, for whatever reason, in a separate permanent file, and they shall be filed and arranged in alphabetical order for the entire county according to the last name of the person registered thereon.

Said file shall be designated "The Canceled Registration Register." When a registration record is canceled, the original record and the two copies thereof shall be marked in large letters in red "canceled," and there also shall be noted thereon in red ink the reason for such cancellation. The original of such record shall be preserved as above provided. The board shall on the first day of each week transmit one set of the canceled copies of the signed registration records canceled during the preceding week to each of the County Executive Committees, of such county, of the political parties represented on the County Board of Election Commissioners.

(2) It shall be the duty of the office and officers of the Bureau of Vital Statistics of the State Board of Health, located in any city of the first class, to furnish, on Monday of each week, to the Board of Registration Commissioners of said county, an official and certified report containing a complete list of the registration of deaths occurring in said county during the week immediately preceding thereto; likewise, it shall be the duty of the clerk of the circuit court of such county

to furnish on Monday of each week to the board an official and certified report containing the names and addresses of all persons who have during the week immediately preceding been adjudged insane or convicted of treason or felony or bribery in any election, and the offense of which each person was convicted; likewise, it shall be the duty of the clerk of the county court of such county to furnish on Monday of each week to the board an official and certified report containing the names and addresses of persons whose names have been changed by marriage, or otherwise, as evidenced by the record, during the week immediately preceding thereto. Said lists shall be used by the Board of Registration Commissioners to purge the registration records.

Immediately upon receipt of such lists of deaths, adjudications of insanity, convictions and changes of names, it shall be the duty of the board, for the purpose of avoiding mistakes, to mail a notice to any person whose name is included in said lists, and who is registered as herein provided, at the address appearing on the registration record of such person, stating that the registration record of such person will, unless protest is filed within five days from and including the date of such notice, be canceled and the reason therefor. The failure to file a protest within said time, shall cause the registration record of such person to be canceled. If a protest is filed, the board shall investigate the case and shall correct any mistake in the registration records concerning such person which such investigation discloses. It shall be the duty of the board on Monday of each week to cause to be removed from the registration records, maintained in triplicate as herein provided, the registration record of any person to whom notice was mailed, and no protest filed, as herein provided, and to cancel said registration records and to preserve and dispose of the original and copies of said registration records as provided in the preceding Subsection No. 1.

(3) Whenever any elector, who is registered, moves out of the precinct, in which he is registered, to a different precinct in said county, it shall be his or her duty to go in person to

the office of the Board of Registration Commissioners, and make and sign an application to have his or her registration record changed and transferred to the proper precinct as herein provided. Said application and the means of identifying the applicant shall be made in the same manner and form provided for original registration, and it shall be the duty of said board to keep a record of all changes, and to furnish the county and city executive committee of said county of the two political parties having representation on the County Board of Election Commissioners with lists thereof in the same manner as hereinbefore provided.

(4) If any elector, who is duly and properly registered, fails to vote at any election within a period of two years, as shown by the voting record of such person on his or her registration record, the registration record of such person shall be canceled. Provided, however, the elector whose registration is about to be canceled for this reason shall be notified through the mails of that fact and he or she shall be permitted to reinstate his or her registration by mailing to the registration office, within five days after notice, a signed request for reinstatement. Cancellation of this character shall be handled in the same manner as other cancellations are made under the provisions of this act. If an elector is denied such reinstatement such a person may appeal in the same manner prescribed in Section 23 of this act.

It shall be the duty of the board to cause to be made a house to house canvass in each precinct of said county in each year, for the purpose of checking the registration records. Said canvass shall be made jointly by two investigators in each precinct. One of said investigators in each precinct shall be appointed by the board from lists of three names per precinct to be submitted in writing by one of the county executive committees, and one in each precinct from lists of three names per precinct to be submitted in writing by the county executive committee of the opposite political party. Said lists shall be submitted ten days in advance of the date specified herein for the commencement of said canvass; and

in the event either committee fails to submit a list or lists within said time, then the board shall appoint the investigators to represent the party failing to furnish such list or lists, in its own discretion, from persons registered as members of that party. The board shall have the right, in its discretion, to remove any investigator and to appoint a substitute from the lists submitted as above provided, or in the event no lists have been submitted or all the names thereon have been exhausted, to appoint any person registered as a member of the same political party as the investigator who is removed. All appointments from said lists shall be made by the board in the order in which the names appear thereon.

Said canvass shall be made during the first week of the period of 60 days next preceding the general election held in the year 1932 and each year thereafter.

The board shall prepare and furnish each investigator with a list of the names and addresses of the registered voters in the precinct which he is to investigate, arranged in convenient order to facilitate the investigation.

The investigators appointed as aforesaid for each precinct shall make a written report to the board, not later than the last day of the said one week period, giving the names and addresses of all persons registered in said precinct who are not legally entitled to vote at the election to be held in such year. Where the reports of the investigators in any precinct agree that any person registered in said precinct is not legally entitled to vote at the election to be held in such year, the board shall make such cancellations in the registration records in its possession as may be necessary to make said records correspond with the reports made by said investigators and correct up to date; provided that no such change shall be made until after notice has been mailed to the person affected, at the address appearing upon his registration record on file in the office of the board, stating that it is the intention of the board to cancel his registration unless protest is filed within five days, nor until after the expiration of said five day

period; and in the event protest is filed, no such change shall be made until after the protestant has been given a reasonable opportunity to be heard.

The investigators hereinabove provided for shall be paid by the board such compensation, not exceeding five dollars per investigator per precinct, as the board shall determine.

Protests filed under the provisions of this subsection shall be heard by the board as expeditiously as possible and in such manner and at such times as herein provided; and the final actions of said board in these cases must be filed not later than the day following the date of said written orders. Said appeals shall be taken and disposed of in the same manner as provided for appeals and hearings thereof in Section 23 of this act. The board shall on or before ten days prior to any November election, furnish each county and city executive committee of said county, of the two political parties represented on the County Board of Election Commissioners, with a copy of its records of all changes, transfers and cancellations so made under the provisions of this subsection in the registration records of said office. No further change or cancellation shall be made in registration records until after the election, except to correct clerical errors, all of which clerical corrections shall be reported daily to each of the executive committees.

(5) Any citizen of such county and each of the county and city executive committees shall have the right to challenge the registration of the registered voters. Such challenge shall contain the name and address of the registered voter, the grounds of the challenge and the signature of the challenger and shall be filed not later than four weeks prior to any election. Such challenge shall be heard and appropriate action thereon taken by the Board of Registration Commissioners at such time as it may fix, after notice has been served the challenged voters. Said notice to the challenged voters shall direct them to appear within three days and show cause why their name should not be canceled and shall be served by an

employee of the board, to be employed and paid in the same manner as herein provided for extra help, by delivering or offering to deliver a copy of said notice to said voter in person, or, if said person can not be found at his place of residence as shown by his registered record, by leaving a copy thereof, with a person over the age of sixteen years, residing in the same family with said voter; or if no such person be there, by affixing such copy to the front door of such place of residence, and the person who serves such notice must make an endorsement on the notice stating when and how it was served; and, if a copy of it be not delivered to the person to whom it is directed, the endorsement must state the fact authorizing the manner of service pursued, and if the person who serves the notice be an officer, his endorsement must show his official position; if he be not an officer, he must make an affidavit that his endorsement is true, that he is over sixteen years of age, and that he is not a party to, nor interested in the proceeding. Such endorsement of an officer and such endorsement and affidavit of one who is not an officer shall be proof of service. Such officer or person authorized to serve the notice shall make a return within three days after the receipt of such notice. The failure of an elector, against whom a challenge has been served, as herein provided, to appear shal be prima facie evidence that he or she is not entitled to be registered and shall cause his or her registration record to be canceled. Appeals from the action of said board may be taken in the manner provided in Section 23 of this act.

§ 26. Any voter who changes his or her name by marriage or otherwise shall be required to register anew. The old registration record of such voter shall be marked "Canceled .....name change to .....," and the new name inserted in the blank space therefor; and same shall then be placed and filed in the "canceled registration register," and the copies thereof disposed of, as herein provided.

§ 27. In addition to the registration records proper, herein provided for, the office of the Board of Registration

Commissioners shall maintain adequate and systematic records to be adopted by said board, covering the following subjects: (1) personnel of all employees, permanent, temporary and field; (2) fraud cases, protests and appeals, including reports, investigations, hearings, trial and disposition; (3) official actions of the office, or board, including complaints and petitions received; (4) detailed statistics of registration in voting; and (5) financial accounts.

§ 28. It shall be the duty of the Board of Registration Commissioners and its officers and employees to keep the registration records, as herein provided for, safely in its office and not to suffer same to be taken therefrom except that the precinct registers, containing the original of the registration records of the voters in the respective precincts, may be taken from said office for the purposes provided for herein or on the order of any court or the County Board of Election Commissioners for the purpose of using same in any trial or proceeding. The board shall permit any citizen, at such time or times as will not interfere with the proper conduct of its office, to copy any registration record without fee or charge. Copies of registration records made and furnished by said board shall be paid for by the person ordering and receiving same at the rate of twenty-five cents per copy for each registration record so copied. Fees so collected by said board shall be paid by said board into the county treasury each week.

§ 29. In the event the original of any individual registration record is lost or destroyed by fire or otherwise, or so mutilated, blotted, defaced or otherwise in such condition as to render same difficult, troublesome or unsafe to use same longer, the Board of Registration Commissioners may order a new registration of voters in said precinct which shall be conducted in the same manner as registration of voters is conducted in the precincts at the initial registration as herein provided for; or said board may make new registration records of the said voters in such precinct in the manner herein provided for the replacement of a single lost or mutilated registration record.

§ 30. Any member of the Board of Registration Commissioners, the chief clerk and each of the employees, temporary or permanent, of said Board, shall, during their respective terms of office or employment, have authority to administer oath to any person of whom information is sought touching any matter pertaining to the administration of this Act; and furthermore any member of said Board, or any of its said officers or employees, may issue and serve subpoenaes for witnesses to appear and give testimony in any investigation having for its purpose inquiry into the registration of any person under this Act. Any person who shall refuse to take the oath herein provided and any person who shall fail to attend in compliance with such subpoenae, served by delivering a copy thereof to such person, and any person having been sworn shall refuse to answer any pertinent question put to such person, shall be deemed guilty of a misdemeanor and fined not less than five nor more than one hundred dollars, or imprisoned in the county jail not less than five nor more than thirty days, or both so fined and imprisoned. Any person, having been sworn as herein provided, who shall wilfully and knowingly give in evidence that which is false, concerning any subject or subjects pertaining to the registration of any person registered or seeking to register, shall be deemed guilty of a felony and be confined in the penitentiary not less than two nor more than five years. The word "oath" as used in this Act shall include affirmation.

§ 31. Any person who shall cause himself to be registered in more than one election precinct, or give a false number of his residence, or registered more than once, in the same precinct, or who shall cause himself to be registered, knowing that he is not lawfully entitled to registration, or any person who shall make a false oath as to his ability to read or write, or any person who shall aid or abet in the commission of any of said acts, shall be deemed guilty of a felony, and shall be imprisoned in the penitentiary not less than two nor more than five years.

§ 32. Any officer of registration, or member, officer or

employee of the Board of Registration Commissioners, or election officer, or other person, who shall unlawfully alter any registration record, or add any name thereto, or who shall wilfully secrete, suppress or destroy any such record or records, or who shall make or aid in making any false or fraudulent registration record, shall be deemed guilty of a felony, and shall be confined in the penitentiary not less than two years nor more than five years, and shall forfeit any office he then holds, and shall forever be disqualified from holding office.

§ 33. Any person who, by himself or in the aid of others, shall forcibly break up, or attempt to break up, a registration held as provided in this Act, or shall forcibly prevent or attempt to prevent, any person from approaching or entering a place of registration, shall be fined not less than one hundred dollars nor more than five hundred dollars, or imprisoned not less than six months nor more than twelve months in the county jail, or both.

§ 34. The officers of registration shall not require any person applying to register to state his or her age, if he or she objects to answering such question, except that each person applying to register shall state that he or she is more than twenty-one years of age, or will be at least twenty-one years of age on the day of the next election.

§ 35. All supplies, required under this Act, shall be bought by competitive bids upon uniform specifications and contract shall be awarded to the lowest bidder.

§ 36. If any section, paragraph, clause or separable provision of this Act should be adjudged to be unconstitutional, such decision shall not affect, or render unconstitutional, any other section, paragraph, clause or separable provision of the Act, it being the intention of the General Assembly, in enacting this Act, to enact each section, paragraph, clause and provision separately.

§ 37. The registration records now existing in cities of

the first class in the State of Kentucky are hereby declared to be null and void and canceled. Said registration records or books shall be delivered, by the officials in whose charge and possession said records now are, to the Board of Registration Commissioners of such counties, herein provided for and created. Said Board shall preserve said old records, for purpose of reference and for such other purposes as may be necessary, for a period of not less than two years, after which said old records may be destroyed, in the direction of the Board.

§ 38. This Act and each of its various sections, paragraphs, clauses and provisions shall be liberally construed in favor of the purposes of this Act.

§ 39. All laws or parts of laws relating to the registration of voters in cities of the first class in this State, conflicting with the provisions of this Act, are hereby repealed.

By Senator Brock.

S. B. 334. An Act authorizing the State Highway Commission of Kentucky, the State Park Commission of Kentucky, and the Fish and Game Commission of Kentucky, or any similar board or commission now or hereafter assuming, acting, or performing the functions and duties of these commissions or their equivalent, to associate themselves together or to contract separately or with each other or any two of them, in any manner or form said commission or commissions may deem to the best interests of the Commonwealth of Kentucky for the building, promotion, erection or improvement, in connection with the functions of either or all of them, for the purpose of benefiting the people of this State, of any bridge, dam or improvement of any State Park or its grounds, bridges, dams or buildings and authorizing the said commissions to designate in a contract or contracts or agreements in any manner whatsoever with each other or separately and to do any and all things necessary to accomplish a mutual purpose for the good of any State Park, highway bridge, or

game and fish or game preserve, or sanctuary and authorizing the issuing of warrants, promises to pay, notes or credit certificates to accomplish the same.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. On and after the passage and approval of this Act, the State Highway Commission of Kentucky and or the State Park Commission of Kentucky, and or the Fish and Game Commission of Kentucky may, either or all enter into an agreement with each other for the purpose of the joint improvement, building or erection of any bridge, dam or building within this State that may be located in any State Park or across any stream within any State Park or which is located in any game or fish preserve or sanctuary, owned, operated, controlled, or managed by either of the said commissions. The said commissions may, as they deem it advisable, enter into any contract or agreement with each other or separately for the improvement in any manner whatsoever of any State Park or other public property within this State and are hereby authorized to contract with each other or separately for the improvement and betterment of any public property, public highway, State Park, or game or fish preserve, or game or fish sanctuary. The said commissions are hereby authorized and empowered to do any and all things necessary, jointly, or separately, to accomplish the purposes of this Act, and for that purpose and to carry out the purpose of this Act, the State Highway Commission, the State Park Commission and the State Fish and Game Commission are hereby separately or collectively authorized, and are specially granted the right to anticipate and estimate the revenues and incomes to said departments and commissions or either of them, for not more than ten years for the purpose of securing funds with which to meet the expenses of either, both, or

all of the above commissions in making the improvements herein above mentioned to carry out the purposes, and they may issue warrants or promises to pay, notes, or credit certificates to be paid at some future time to be agreed on by the said commissions or either of them, for the purpose of making said improvements.

Said warrants, promises to pay, notes, or credit certificates shall be redeemed and paid for at their face value with accrued interests from the receipts, fees, admissions, and other incomes to be collected and disbursed by the said State Commissions or either of them, provided further, that the obligations of either one of the commissions by contract entered into, shall never become the obligation or debt of either of the others. Any warrants, promises to pay, notes, or credit certificates issued shall be a running joint or separate obligation against the future receipts and incomes of whatsoever nature against the funds of each or either of the above named commissions and their successors.

This is an enabling Act granting the power above conferred, upon the commissions herein designated and shall be construed liberally so that the purposes of this Act may be accomplished and shall be known and designated as the State Park Improvement Act.

Any Act, or parts of Acts or laws, in conflict herewith, are, to the extent of such conflict, hereby repealed.

By Senator Johnson.

S. B. 335. An Act relating to motor vehicles; providing for the repeal, amendment and re-enacting of Subsection (f) of Section 10 of Chapter 90 of the Acts of the General Assembly of 1920.

To Committee on Motor Vehicles and Transportation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Subsection (f) of Section 10 of Chapter 90 of the Acts of the General Assembly of 1920 be amended by repealing said subsection and inserting in lieu thereof the following subsection, so that when said subsection is amended by substituting and re-enacting the following subsection in lieu thereof the same shall read as follows:

(f) Overtaking Vehicles. Vehicles overtaking other vehicles proceeding in the same direction shall pass to the left thereof, and shall not again drive to the right until reasonably clear of such vehicles, and the person operating or in charge of the overtaking vehicle shall sound horn, or other sound device before passing such vehicle. Provided that vehicles overtaking street cars may pass same either to the right or left, having due regard for other traffic, unless otherwise specified by municipal ordinance.

By Senator Ragan.

S. B. 336. An Act to amend and re-enact Subsection 2a of Section 938e of Carroll's Kentucky Statutes, 1930 Edition, authorizing the County Board of Health in counties embracing cities of the fifth class to contract for hospital facilities and providing for a county levy therefor so as to extend the provisions of said subsection to counties having a city or cities of the fourth class.

To Committee on Public Health.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Subsection 2a of Section 938e of Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is

amended and re-enacted so that same, when so amended and re-enacted, will read as follows:

"In order to provide money for the maintenance and furnishing of a county hospital in counties having a city or cities of the fourth or fifth class, and in which there is established in such county a 'Community Hospital' (that is a non-dividend paying hospital, constructed by donations, or endowment funds) the county board of health existing under the laws of this Commonwealth in such county or counties embracing a city or cities of the fourth or fifth class, is hereby authorized and it is hereby made its duty to make and enter into a contract with the governing authority of such 'Community Hospital' for hospital facilities for county purposes in such county until such time as a county hospital is authorized by vote of the people.

"It shall also be the duty of the county board of health of the counties embracing a city or cities of the fourth or fifth class, on or before the first day of April, 1926, and each year thereafter, to contract with the governing authority of such community hospital for the support and maintenance of said hospital and to ascertain and report to the fiscal court of such county, the estimated amount needed for such county hospital purposes for the next year; this annual budget shall be submitted in writing to the county clerk, not less than ten days before the first day of April in each year, by the county board of health. And the county clerk shall present this annual budget to the fiscal court when it convenes to make the annual county levy. When this annual budget has been submitted to the fiscal court, it shall be the duty of the fiiscal court to provide sufficient funds to pay said budget, by the levy and collection of tax, of not exceeding five cents on the one hundred dollars, as a contribution for the county hospital purposes, and for the payment of the budget recommended and demanded by the county board of health as herein provided, and the same shall not be appropriated or used for any other purpose, during the life of the contract herein provided for. And when said funds are col-

lected by the county treasurer, he shall pay the same over to the treasurer or governing authorities of said hospital."

§ 2. Whereas certain hospitals constructed by donations or endowment funds in counties having cities of the fourth class are not receiving sufficient funds from patients and donations to maintain such hospitals and there is danger of closing such hospitals and leaving the counties without hospital facilities, an emergency is declared to exist and this Act shall become a law upon its passage and approval by the Governor.

By Senator Rose.

S. B. 337. An Act to amend Section 1938a-5, Rabbits, of the Kentucky Statutes, Carroll's 1930 Edition, relating to the open season on rabbits.

To Committee on Fish and Game.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Amend Section 1938a-5 of the Kentucky Statutes, Carroll's 1930 Edition, relating to the open season on rabbits, by adding thereto at the end of the section as it now stands the following words, "provided that it shall be unlawful for any person to kill or catch in this State, or have in possession after same has been caught or killed in this State, or have in his possession, more than ten (10) rabbits in any one day between the 15th day of November of any year and the 31st day of December, both days inclusive; provided, however, that any person having hunted two days in succession may have in his possession a total of not to exceed twenty (20) rabbits killed by himself or herself during such hunt, and any person having hunted more than two days in succession may have in his possession a total not to exceed ten (10) rabbits

killed by himself for each day during such hunt," so that said section as amended and re-enacted shall read as follows:

Section 1938a-5. Rabbits.—No person shall, between the first day of January and the 14th day of November, both days inclusive, in any year, catch, kill, injure or pursue with such intent, any rabbit; provided, however, anyone may catch rabbits with dogs or in traps, upon their own property for their own use, but said rabbits or parts thereof, cannot be bartered or traded, or offered or exposed for sale, barter or trade, between the dates above mentioned. Provided, however, that it shall be unlawful to catch or take by means of snares any rabbits at any time. Provided that it shall be unlawful for any person to kill or catch in this State, or have in possession after same has been caught or killed in this State, or have in his possession, more than ten (10) rabbits in any one day between the 15th day of November of any year and the 31st day of December, both days inclusive; provided, however, than any person having hunted two days in succession may have in his possession a total of not to exceed twenty (20) rabbits killed by himself or herself during such hunt, and any person having hunted more than two days in succession may have in his possession a total not to exceed ten (10) rabbits killed by himself for each day during such hunt.

By Allie W. Young.

S. B. 338. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the State

primary system of highways in this Commonwealth the following route, to-wit: Beginning at a point on State Project No. —, established by an Act of the General Assembly of 1926, Chapter 325 of said Acts, and known as a State highway running from Mayslick in Mason County to Wedonia in Mason County, near the John Sam Woodward farm, where the old Elizaville Pike intersects the above described highway; thence running in a southerly direction over said old Elizaville Pike by way of Flemingsburg Junction in Fleming County to the village of Elizaville in said county; thence continuing south from Elizaville over the old Elizaville and Upper Blue Lick Turnpike road by way of the village of Hilltop and continuing to the village of Battle Run in Fleming County where it intersects State Highway Project No. —, established by an Act of the General Assembly of 1928, as found in Chapter 389 of said Acts, and known as the State highway running from Moorefield in Nicholas County to Flemingsburg in Fleming County.

§ 2. This route, when established, to be designated as Project No. —, and to be entitled to and receive all the benefits relating to the primary system of highways.

By Senator Stephenson.

S. B. 339. An Act to repeal Section 3766e-9, Carroll's Kentucky Statutes, 1930 Edition, which is Section 9 of Chapter 164, Acts of 1928, approved by the Governor on February 29, 1928, and Section 2 of Senate Bill No. 4, which was approved by the Governor on February 5, 1932, both relating to the employment of attorneys for the Kentucky National Park Commission.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3766e-9, Carroll's Kentucky Statutes,

1930 Edition, which is Section 9 of Chapter 164, Acts of 1928, and Section 2 of Senate Bill No. 4, which was approved by the Governor of the Commonwealth on February 5, 1932, both relating to the employment of attorneys for the National Park Commission, be and the same are hereby repealed in their entirety.

§ 2. Whereas, the employment of attorneys as provided for by the foregoing Statute and the foregoing Senate Bill is an unnecessary expenditure of the taxpayers' money, for the purpose of the practicing of economy and the saving of said taxpayers' money an emergency is declared to exist and this Act shall take effect upon its passage by the General Assembly of the Commonwealth of Kentucky and approval by the Governor.

By Senator McCaw.

S. B. 340. An Act to amend Section 290a of Carroll's Kentucky Statutes, 1930 Edition, relating to employment of a teacher for the deaf-blind by adding certain words thereto.

To Committee on Appropriations.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 290a, Kentucky Statutes, which is as follows, "To employ a teacher for the deaf-blind for which class of children no provision has hitherto been made by the Commonwealth, six hundred ($600.00) dollars by adding thereto the following language," "Provided, however, that the Superintendent of the Kentucky School for the Deaf in his discretion may utilize this appropriation or any part thereof to place individual deaf-blind children elsewhere than in the institution when circumstances require care and attention which the institution is not properly prepared" so that when added such section will read as follows:

That the employment of a teacher for the deaf-blind, for which class of children no provision has hitherto been made by the Commonwealth, six hundred ($600.00) dollars annually; provided, however, that the Superintendent of the Kentucky School for the Deaf, in his discretion may utilize this appropriation or any part thereof to place individual deaf-blind children elsewhere than in the institution when circumstances require care and attention which the institution is not prepared to provide.

§ 2. That all laws or parts of laws in conflict herewith are hereby repealed.

By Senator Ferguson.

S. B. 341. An Act repealing and re-enacting Sections 2711a-1, to 2711a-127, inclusive, and Sections 2711a-129 to 2711a-141, inclusive, of Chapter 86 of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, same being an Act providing for the organization, armament, discipline and government of the militia and National Guard of Kentucky; providing for a Military Department of Kentucky; providing for the proper officer and other employees of said Department; same being intended to repeal and re-enact all of the present laws of Kentucky relating to the militia and National Guard except Section 2711a-128 of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, which section is specifically exempted from the effect of the repeal and re-enactment herein provided for.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 2711a-1 to 2711a-127, inclusive, and Sec-

tions 2711a-129 to 2711a-141, inclusive, of Chapter 86 of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, be and the same are hereby repealed and re-enacted so that said laws when re-enacted shall read as follows:

§ 1. There is hereby created a department of the State government to be known as the "Military Department of Kentucky," which department shall have charge of and shall be responsible to the Governor for the proper functioning of the National Guard, the militia and all other military or naval matters of the Commonwealth. The Adjutant General, who shall be appointed by the Governor, shall be executive officer of this department, and shall be responsible to the Governor for the proper carrying into effect of all laws, rules and regulations of the United States Government and of the State of Kentucky affecting the National Guard, the organized militia or other military organizations properly established by law.

§ 2. The Governor of the State, by virtue of his office, shall be the Commander-in-Chief of the militia of the State, except of such portions as may be at times in the service of the United States; but he shall not command personally in the field unless advised so to do by a resolution of the General Assembly.

§ 3. The staff of the Commander-in-Chief shall consist of an administrative and a personal staff. The administrative staff shall consist of an Adjutant General of the grade of Brigadier General, and of such other officers of the Kentucky National Guard as may be detailed by the Governor, of the grade prescribed by the War Department of the United States for the administrative staff for the State of Kentucky. The personal staff shall consist of not more than four aides-de-camp, detailed from the commissioned officers of the National Guard in active service from those of the grades below that of Colonel. Such detail shall not add to the grade of the officer so appointed. The officers detailed as aides-de-camp shall not be relieved from duty with their respective

organizations, but shall perform all duties pertaining thereto, except when on duty as aides-de-camp under orders of the Governor. The staff shall be appointed by the Governor and shall hold office during his pleasure or during the term for which he was elected.

§ 4. The militia of the State shall consist of all able-bodied male citizens, and all other able-bodied males who have or shall have declared their intention to become citizens of the United States, between the ages of 18 and 45, who are residents of the State, and of such other persons as may upon their own application be enlisted or commissioned therein pursuant to the provisions of the law, subject, however, to such exemptions as are now or may be hereafter created by the laws of the United States. The militia of this State shall be divided into two classes:

(a) The organized militia to be known as the Kentucky National Guard.

(b) The reserve militia, consisting of all other persons liable to military service.

§ 5. The officers, judicial and executive, of all the departments of the State of Kentucky and of the United States, without regard to age, shall be exempt from duty in the militia, and all persons who because of religious belief shall claim exemption from military service, when the conscientious holding by such persons shall be established under such regulations as the Governor shall prescribe, shall be exempt from military service in a combatant capacity, but no person so exempted shall be exempt from military service in any capacity that the Governor shall declare to be non-combatant.

§ 6. When the Governor, by public proclamation, so commands, it shall be the duty of each County Clerk to enroll the names of all persons liable to duty in the militia and by such times as the said proclamation may prescribe, and to transmit said rolls to the Adjutant General of the State.

When such service is required of the County Clerk, he shall be allowed one cent (1c) for each name returned by him, to be paid out of the State treasury, and if the County Clerk neglects or refuses to render such service when so required, he shall be subject to a fine of not more than five hundred dollars ($500.00) and not less than one hundred dollars ($100.00).

§ 7. The officer making the enrollment shall, at the time of making same, serve notice of such enrollment upon each person enrolled by delivering such notice to him or leaving it with some person of suitable age and discretion at his place of residence. All persons claiming exemption must, within fifteen days after receiving such notice, file a written statement of such exemption, verified by affidavit, in the office of the County Clerk. Such clerk shall thereupon, if such person be exempted according to law, mark the word "exempt" opposite his name; and the remainder of all thus enrolled and not found thus to be exempt shall constitute the reserve militia of the State, and such County Clerk shall transmit a copy of such corrected roll to the Adjutant General of the State. The commanding officer of each organization in the National Guard and the heads of each fire and police department in each city or town shall, whenever an enrollment is ordered file in the office of such County Clerk a certified list of the names of all persons in his command or department.

§ 8. The Governor shall have power, in case of insurrection, invasion, tumult, riot or breach of the peace, or imminent danger thereof, to order into the active service of the State any part of the militia that he may deem proper. When the militia of this State, or a part thereof, is called forth under the Constitution and laws of the United States, the Governor shall order out for service the Kentucky National Guard, or such part thereof as may be necessary and, if the number available be insufficient, he shall order out the reserve militia or such part as may be necessary.

§ 9. Whenever it shall be necessary to call out any por-

tion of the reserve militia for active duty in case of insurrection, invasion, tumult, riot or breach of the peace, or imminent danger thereof, or when called forth for service under the Constitution and laws of the United States, the Governor may call for and accept as many volunteers as are required for such service, or he may by public proclamation summon all or any number of them to be assembled by the sheriff at any point or points within the county or respective counties as may be designated by the proclamation, and thereupon the sheriff, on penalty of a fine of one thousand dollars ($1,000.00) for refusal or neglect, shall summon the members of the reserve militia within his county as he would summon a civil posse, and under similar penalties against those who fail to obey his summons. But should the Governor's proclamation call for only a part of the reserve militia of any county, the sheriff may first call for volunteers therefor and, if that should appear to be inexpedient, he shall summon the members of the reserve militia to be assembled in their magisterial districts and there determine, under the supervision and control of a justice of the peace, by lot, those who shall be selected to fill the quota of that magisterial district. The reserve militia so called into service shall become subject to the same laws and regulations as members of the Kentucky National Guard.

§ 10. The Governor shall immediately upon his induction into office appoint an Adjutant General, who shall be selected from among the Federally recognized officers of the Kentucky National Guard and who shall have had active service on the active list of officers of the Kentucky National Guard for five years next preceding the date of his appointment in at least the rank and grade of Captain. Said Adjutant General at the time of his appointment shall be not less than forty years of age. The officer so selected as Adjutant General shall by Executive Order of the Governor be ordered and placed on active duty, and in the event said appointee does not already hold the commission of Brigadier General of the Kentucky National Guard, he shall be given temporary rank as Brigadier General of the Kentucky National Guard and

shall be so commissioned by the Governor. In the event that the commission is only temporary, said commission shall automatically be vacated when said appointee shall be relieved from duty as Adjutant General or at the expiration of the term of the Governor making the appointment. The office of Adjutant General shall not be incompatible with or serve to vacate the commission in the Kentucky National Guard held by the officer appointed Adjutant General at the time of his appointment, nor shall it be incompatible with any office to which he might be promoted, nor shall it interfere with or prevent his attending to the duties of the office held at the time or to which he may be thereafter promoted.

§ 11. The Adjutant General of the State shall perform the duties prescribed for him by the laws and regulations now or hereafter issued thereunder by the United States or the State of Kentucky, now or hereafter enacted. He shall direct and supervise the functions and duties of the chiefs of staff departments. He shall supervise all troops and all departments, arms and branches of the Kentucky National Guard. Such supervisory power covers primarily duties pertaining to command, discipline, training and recruiting of the National Guard, military operations, distribution of troops, inspections, armament, military education and instruction and kindred matters connected with the fiscal administration and supply of the National Guard when not in the service of the United States. The Adjutant General shall

(a) Superintend the preparation of all returns and reports required by the United States from the State.

(b) He shall keep a register of all records and papers required to be kept and filed therein and make a report to the Governor for the annual period ending on June 30 of each year of the operations and condition of the Adjutant General's office, the State Arsenal and the National Guard.

(c) He shall cause to be prepared and issued all necessary blank books, forms and notices required to carry into

full effect the provisions of this law. All such books and blanks shall remain the property of the State.

(d) He shall attend to the safe keeping and repairing of the ordnance, arms, accoutrements, equipments, and all other military property belonging to the State or issued to it by the United States. All military property of the State, which after a proper inspection shall be found unsuitable for use of the State, shall under the direction of the Governor be disposed of by the Adjutant General at public auction or by inviting bids after suitable advertisement of sale daily for ten days in at least one newspaper published in the city or county where the sale is to take place, or the same may be sold at private sale when so ordered by the Governor, or may, with the approval of the Governor, be turned over to any other department, board or commission of the State government by which it can be used. He shall from time to time render a just and true account of the sales made by him to the Governor and shall turn the proceeds of same into the General Fund of the State.

(e) He shall keep a just and true account of all expenses necessarily incurred, including pay of officers and enlisted men, allowances to officers and organizations, and of any other moneys required to be disbursed by him and through his office, including subsistence and transportation of the National Guard and of all military property of the State and of the United States.

(f) He shall issue such military property as the Governor shall direct and under his direction make purchases for that purpose. No military property shall be issued to persons or organizations other than those belonging to the National Guard, except to such portion of the reserve militia as may be called out by the Governor. Purchases of property not exceeding five hundred dollars ($500.00) in value and purchases from the Federal Government shall be made in such manner as the Adjutant General of the State shall direct. If such purchase requires an expenditure exceeding

five hundred ($500.00) dollars and not exceeding one thousand dollars ($1,000.00), the Adjutant General of the State shall procure written proposals to furnish such property from the lowest responsible bidder. If such purchase shall require the expenditure of a sum exceeding one thousand dollars ($1,000.00), he shall publicly advertise, for not less than ten days, for sealed proposals for furnishing such property; such proposals to be publicly opened by the Adjutant General of the State at the place, day and hour designated in such advertisement. The Adjutant General shall, if the Governor approves, make contract with the lowest responsible bidder to furnish such property. All proposals and contracts made under the authority hereby conferred shall be filed in the office of the Adjutant General of the State. The Adjutant General is authorized and directed, whenever in his opinion it shall be to the interest of the State, to require a party who shall agree or contract to furnish such property to give bond to the Commonwealth of Kentucky in such sum and with such surety as he shall direct, conditioned for the faithful performance of such agreement or contract. In case of default such bond shall be prosecuted by the Attorney General and all moneys recovered shall be paid by the Adjutant General of the State into the general fund of the State. All property purchased under the authority hereby granted shall be inspected by an inspector or officer detailed for that purpose, and no payment shall be made therefor until it shall appear by the certificate of such officer that such property is of the kind and quality specified in such agreement or contract. In case of insurrection, invasion, tumult, riot, breaches of the peace or imminent danger thereof, the Governor may, upon the recommendation of the Adjutant General, temporarily suspend the operation of this paragraph and direct the Adjutant General of the State to purchase such military property as may be required in open market. He shall report such action, with the reasons therefor and a statement of the property purchased and the price paid therefor to the General Assembly at its next session.

(g) The Adjutant General shall establish and maintain

as part of his office a bureau of war records in which all records pertaining to wars and relics shall be kept. He shall be custodian of all such records, relics, colors, standards and battle flags now the property of the State, or in its possession, or which the State may hereafter procure or become possessed of.

(h) In the absence or inability to perform the duties of the Adjutant General, he may designate by special order an officer to perform those duties temporarily or, if no officer is so designated, the senior officer on duty in the Adjutant General's office shall perform the duties prescribed for the Adjutant General.

(i) He shall organize units of the National Guard at such places as the Governor shall designate and have the members thereof mustered into service under such regulations as the Governor shall prescribe.

§ 12. All accounts and claims of every character and description against the Military Department shall be carefully audited by the Adjutant General, and all vouchers for expenditures shall first be authenticated and approved by the Adjutant General before same are allowed by the Auditor. In the event the Adjutant General shall be absent from the State for as much as fifteen days, or shall be otherwise incapacitated for the same period of time to properly audit and approve said vouchers, then said vouchers may be allowed by the Auditor after same have been properly audited and approved by an officer serving in the Military Department, who has been properly designated by Special Order to act for and on behalf of the Adjutant General during his absence or other incapacity.

§ 13. The Governor may also appoint, in his discretion, an Assistant Adjutant General from among the officers of the Kentucky National Guard. Said appointee at the time of his appointment shall be at least thirty years of age and shall have had active service as an officer on the active list

of officers of the Kentucky National Guard for not less than five years next preceding the date of his appointment. Said five years' service shall be in at least the grade of First Lieutenant. The officer so selected by the Governor as Assistant Adjutant General shall by Executive Order be placed upon active duty, and in the event said appointee does not already hold the commission of Major of the Kentucky National Guard, he shall be given temporary rank as Major of the Kentucky National Guard and shall be so commissioned by the Governor. In the event the commission is only temporary, said commission shall automatically be vacated when said appointee shall be relieved from duty as Assistant Adjutant General or at the expiration of the term of the Governor making the appointment. The office of Assistant Adjutant General shall not be incompatible with or serve to vacate the commission held by the officer appointed Assistant Adjutant General at the time of his appointment nor one to which he might be promoted, nor shall it interfere with or prevent his attending to the duties of the office held at the time or to which he may be promoted thereafter, and shall in no wise be incompatible with the office held or to which he may later be promoted.

§ 14. The Adjutant General by and with the advice and approval of the Governor shall have the power to appoint the officers and other personnel necessary for the proper functioning of the Military Department and he shall prescribe their duties. The salaries of such officers and other employees shall be fixed by the Adjutant General with the approval of the Governor.

§ 15. Officers and enlisted men employed in the Adjutant General's office shall not be entitled to additional pay from the State for active field service nor for active duty, but shall be entitled to actual cost of transportation and three dollars per diem in lieu of subsistence and quarters, or to actual cost of such subsistence and quarters when so provided in the order under which such duty is performed when serving under orders beyond the limits of the City of Frankfort, except that

the foregoing provisions shall not prohibit an officer or enlisted man from receiving pay from the United States for participation in encampments or field service while in the service of the State.

§ 16. The system of organization, armament, discipline and government of the militia shall be prescribed from time to time in a code of regulations to be promulgated by the Governor, subject at all times to the laws and regulations of the United States governing the organized militia or National Guard, and to such general exceptions as may be authorized by the Secretary of War.

§ 17. The articles of war for the government of the armies of the United States as now or hereafter enacted shall be in force at all times as to the forces of the State and regarded as a part of this law so far as they are consistent with its provisions and with the regulations now or hereafter issued thereunder. But no punishment under such rules and articles which shall extend to the taking of life shall, in any case, be inflicted except in time of actual war, invasion, or insurrection, declared by proclamation of the Governor to exist, and then only after the approval by the Governor of the sentence inflicting such punishment. Imprisonment other than in guard house shall be executed in jails, penitentiaries or prisons designated by the Governor or by the Adjutant General or by the convening authority of any court martial.

§ 18. The Attorney General of the State shall be the legal advisor of the Governor and of the Adjutant General of the State.

§ 19. The National Guard of the State shall consist of general officers of the line, the several staff corps and departments as prescribed in tables or organization of the United States Army for the National Guard, the officers and enlisted men on the retired list, reserve list and in the National Guard Reserve, the organizations forming the National Guard at this date, such others as may be organized hereafter and such persons as are enlisted and commissioned therein. The Gov-

ernor shall have power to alter, divide, annex, consolidate, disband or reorganize any organization, department or corps whenever in judgment the efficiency of the State forces will be thereby increased, and he shall have power to change the organization of any organization, department or corps so as to conform to any organization, system of drill or instruction now or hereafter prescribed by the laws of the United States for the organization of the National Guard, and for that purpose the number of the officers and non-commissioned officers of any grade in any organization, department or corps may be increased or diminished and the grades of such officers and non-commissioned officers may be altered to the extent necessary to secure such conformity; provided that no organization of the National Guard, members of which shall be entitled to and shall have received compensation under the Act of Congress approved June third, nineteen hundred and sixteen, as amended, shall be disbanded without the consent of the President of the United States, nor without such consent shall the commissioned or enlisted strength of any such organization be reduced below the minimum that shall be prescribed therefor by the President; and provided further, that the assignment of organizations of the Federally recognized National Guard to divisions, brigades and other tactical units shall be made in accordance with the provisions of the Act of Congress approved June third, nineteen hundred and sixteen, as amended. The Governor shall have power to fix and, from time to time, to alter the maximum and minimum number of enlisted men which shall form part of any organization, department or corps within the limitations fixed by the Act of Congress approved June third, nineteen hundred and sixteen, as amended. The aggregate forces of the National Guard in time of peace, fully armed, uniformed and equipped, shall not be less than twenty-five hundred enlisted men.

§ 20. The Governor is authorized to prescribe the organization of the National Guard to conform, as far as practicable, to that prescribed by the laws and regulations of the United States now or hereafter in force. National Guard troops allotted to the State under the Act of Congress approved June third, nineteen hundred and sixteen, as amended,

when organized under authority of the Governor, shall be maintained by the State and furnished with adequate and suitable armory accommodations, ranges and camp grounds.

§ 21. No officer or entitled man of the Kentucky National Guard shall incur any expenses whatsoever to be paid by the State, except such as are authorized by this Act, without first obtaining authority therefor, provided that in extreme emergencies the commanding officer of any organization, unit or detachment of the Kentucky National Guard may procure services and purchase such stores and supplies as are absolutely required for the immediate use and care of his command; and a report of his action, containing an itemized statement or account of such services procured or stores and supplies purchased, shall be made forthwith to the Adjutant General. Such accounts, when the emergency and correctness of same are certified to by the Adjutant General, shall be paid out of the funds of the State.

§ 22. It shall be the duty of the Governor, whenever he shall deem it necessary for the safety or welfare of the Commonwealth, or when any actual or threatened invasion, insurrection, domestic violence, or other danger to the public interest make it necessary to employ military force in aid of the civil power of the government, for the enforcement of law or to preserve the peace and the security of the rights and lives or property of the citizens to order into active field service so much of the Kentucky National Guard, or military force of the Commonwealth, as he may deem necessary, and he may by his order prescribe the duty to be performed by the troops thus called into active field service. The Governor may direct the commanding officer of such military forces thus ordered into service to report to any of the following named civil officers of the district, county, city or town; circuit judge; county judge; mayor; and such civil officers may direct the specific object to be accomplished by such military force, but the tactical direction and disposition of the troops and the particular means to be employed to accomplish the object, shall be left solely to the officers of the National Guard. Any one of the civil officers named above shall have authority in

case of breach of the peace, riots, mobs, great calamity, resistance to the processes of the State, or imminent danger thereof, or imminent danger of violence to life or property, by written order to the commanding officer of any division, brigade, regiment, battalion, company or other unit of the Kentucky National Guard, order into active field service such part of the National Guard to be specified in his written order as such civil officer may deem necessary to assist the civil authorities to enforce the law and to prevent violence to persons or property; provided, however, that such civil officer shall have authority only in case of emergency, when in his judgment it is impossible or impracticable to communicate with the Governor in time to prevent threatened violation of law or damage to persons or property. Such officer and the commanding officer of the troops ordered into service by him shall, as soon as possible, report said facts and circumstances relating thereto to the Governor, and the Governor shall take such action as he may deem necessary. Troops shall not be relieved from active field duty except by order of the Governor.

§ 23. All officers of the National Guard shall be commissioned by the Governor at his discretion; but no one shall be commissioned unless the conditions set forth in the next two sections have been complied with, and no one shall be recognized as an officer unless he shall have been duly commissioned, and shall have taken the oath of office. Commissions shall be issued to officers in the army, corps or departments of the service of which they are a part and not in any particular regiment or unit. Commissioned officers shall rank in their grade according to the date of their commission. Between officers of the same grade and date of appointment or commission, where there has been no previous commissioned service, the relative rank shall be determined by age, where there has been previous service in the Army of the United States or in the Kentucky National Guard, or the National Guard Reserve of this State, such previous service shall count in the order herein named. The day of the appointment of an officer shall be expressed in his commission and shall be considered as the date thereof. When an officer is appointed

or transferred from one office or organization to another, without increase of grade or loss of continuous service, he shall rank in the grade according to the date of his original commission, which shall be stated in his new commission.

§ 24. Commissioned officers must be citizens of the United States and of the age of twenty-one and upwards. No person who has been expelled or dishonorably discharged from the military or naval service of this State, or any other state, or of the United States, shall be commissioned. No person shall be commissioned unless he shall possess the qualifications now or hereafter prescribed by the laws or regulations of the United States and the additional requirements herein prescribed for the particular office to which he is to be commissioned. A general officer above the grade of brigadier general, at the time of his appointment, must be an officer in active service in the National Guard of Kentucky of the grade of brigadier general or field officer, and for seven successive years immediately preceding his appointment, he must have been in active service in said National Guard as a field officer. A brigadier general, at the time of his appointment, must be an officer in active service in the Kentucky National Guard of the grade of field officer for five successive years immediately preceding his appointment. A colonel of a regiment, at the time of his appointment, must either be an officer in active service in the National Guard, and for three successive years immediately preceding his appointment, he must have been in active service in said National Guard as a commissioned officer; or, if not in active service at the time of appointment, he must have had prior service of at least six years in said National Guard or in the Army of the United States, or in both combined, as a commissioned officer. A lieutenant colonel and major of the line, at the time of his appointment, must either be an officer in active service and for two successive years immediately preceding his appointment he must have been in active service in said National Guard as a commissioned officer or, if not in active service at the time of his appointment, he must have had prior service of at least six years in said National Guard or in the Army of the United States, or in both combined, as a commissioned

officer. Officers of the corps of engineers, the signal corps, the adjutant general's department, the inspector general's department, the quartermaster corps and the ordinance department above the grade of captain must possess the same requirements as officers of the line of the same respective grades. Officers of all arms, corps and departments of or below the grade of captain must have served one year immediately preceding appointment in said National Guard or, if not in active service at the time of appointment, they must have had at least one year's service in said National Guard, or the Army, Navy or Reserve Corps of the United States, or both combined. An officer of the judge advocate general's department must be a counselor-at-law of the highest court of this State of at least ten years' standing if of the grade of colonel or lieutenant colonel, of at least five years' standing if of the grade of major, of at least three years' standing if below the grade of major. An officer of the medical corps must be a graduate of a recognized school of medicine and of at least ten years' practice if of the grade of colonel or lieutenant colonel; of at least five years' practice if of the grade of major; of at least three years' practice if of the grade of captain; and of at least one year's practice if of the grade of first lieutenant. An officer of the signal corps must have a knowledge of signaling, telegraphy, topography and map making. A chaplain must be a regularly ordained minister of some religious denomination.

Staff officers, including officers of the pay, inspection, subsistence and medical departments, hereafter appointed shall have had previous military experience, and all officers shall hold their commissions until they shall have reached the age of sixty-four years, unless retired prior to that time by reason of resignation, disability or for cause to be determined by a court martial or efficiency board legally convened for that purpose.

§ 25. Every officer commissioned in the National Guard shall be examined as to his physical condition, knowledge of military affairs and general knowledge and fitness for service, in the army, corps or department in which he shall be com-

bined, in accordance with the rules and regulations of the United States Army and of the State of Kentucky.

§ 26. Examinations for commissioned officers of the National Guard may be conducted by boards organized in accordance with the provisions of the National Guard Act or any amendment thereof which may hereafter be enacted by Congress. Nominations for commissions in the National Guard shall be initiated by the commanding officer of the organization to which the candidate is to be assigned, and referred to the Adjutant General for preliminary determination of the eligibility and fitness of the candidate to serve in the grade to which he is nominated. The Adjutant General may constitute and dissolve boards to pass upon the eligibility and fitness of candidates.

§ 27. Every officer duly commissioned shall, within ten days after his commission is tendered to him, or within ten days after he shall have been notified personally or by mail that the same is held in readiness for him by a superior officer, take and subscribe to the following oath of office:

"I, ————, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the Commonwealth of Kentucky against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and of the Governor of the Commonwealth of Kentucky; that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office of ———————— in the National Guard of the United States and of the Commonwealth of Kentucky upon which I am about to enter, so help me God."

Such oath shall be taken and subscribed before an officer of the National Guard of the grade of general or field officer, summary court, or any civil officer authorized to administer oaths. In case of neglect or refusal to take and subscribe to such oath within the time mentioned, such commission shall

be cancelled by the Governor and a new appointment shall be made to fill the vacancy.

§ 28. The National Guard Reserve shall consist of such organizations, officers and enlisted men as may be authorized and prescribed by the laws of the United States and regulations issued thereunder. In time of peace officers of the Kentucky National Guard may, upon their own application, be transferred to the Kentucky National Guard Reserve after completing three years' commissioned service in an active organization of the National Guard, including commissioned service in the United States Army. Upon the disbandment or consolidation of organizations of the National Guard, duly authorized, thereby rendering the commissioned officers or any of them surplus, all such officers qualified for active service whether they have had three years active commissioned service or not, except those transferred or assigned to active units, shall be transferred in the grade in which they are commissioned to the National Guard Reserve. Officers of the National Guard Reserve can not become members of the National Guard in time of peace except by appointment. Officers of the Kentucky National who have been Federally recognized under the National Defense Act and who shall lose or have had withdrawn by the Federal Government such recognition, shall be transferred by the Adjutant General to the National Guard Reserve, and such transfer shall create a vacancy in the list of the officers of the Kentucky National Guard, which vacancy shall be filled by appointment or promotion as prescribed in this law.

§ 29. A commissioned officer tendering his resignation, if the Governor accepts it, shall receive an honorable discharge, provided he shall not be under arrest or to be returned to a military court for any deficiency or delinquency. If the Governor accepts the resignation of an officer, who at the time shall be under arrest, under charges, or returned to a military court for any offense, deficiency or delinquency, such officer shall then cease to be an officer of the National Guard and shall receive a discharge in such form as the Governor shall direct, but he shall continue to be subject to trial and the judg-

ment and punishment prescribed by such military court until the proceedings before such court are finally disposed of.

§ 30. Any commissioned officer who has served as a member of the National Guard for a period of ten years, five of which have been as a commissioned officer, may upon his own request, and shall upon attaining the age of sixty-four years, be placed upon the retired list, which shall be kept in the office of the Adjutant General. Officers so retired shall receive no compensation for their services, but shall be permitted on all occasions of ceremony to wear the uniform of the grade upon which retired. The Governor may detail officers so retired upon duty other than in the command of troops, and when so detailed, they shall receive like pay and allowances as officers on the active list detailed or employed under like conditions.

The Governor may order any commissioned officer before a medical board consisting of at least three commissioned medical officers and, if the board reports such officer to be physically unable to perform the duties of his office, the Governor shall retire him.

Any officer retired under the provisions of this section, who shall have served as a commissioned officer on active duty in the Kentucky National Guard, or in the Army, Navy or Marine Corps of the United States during any war in which United States troops were engaged, shall be placed on the retired list in the grade next higher than that actually held by him on the date of his retirement.

§ 31. The Governor may, whenever he may deem that the good of the service requires it, order any commissioned officer before an efficiency board to consist of three officers senior in rank to the officer whose fitness for service is under examination, which is hereby invested with the powers of the courts of inquiry and courts martial, and such board shall inquire into the moral character, capacity and general fitness for the service of such commissioned officer, and record and return the testimony taken and a record of the proceedings.

If the findings of such board be unfavorable to such officer and be approved by the Governor, he shall be discharged from the service. No officer whose grade or promotion would in any way be effected by the decision of such board in any case before it, shall participate in the examination or decision of the board in such case. Failure to appear when ordered before a board constituted under this section shall be sufficient grounds for a finding of such board that the officer ordered to appear be discharged. Upon the recommendation of the board, an officer discharged under the provisions of this section may be placed upon the retired list by the Governor where the discharge was issued solely because of physical inability to perform active service.

§ 32. The commission of any officer who absents himself without leave for three months shall be vacated, he shall be dropped from the rolls of the National Guard, and shall be dismissed from the service.

§ 33. Any able-bodied man of good character, resident of the State of Kentucky, who can read and write the English language, who is between the ages of eighteen and forty-five years, and who has passed the required physical examination, which physical examination shall be the same as that required for enlistment in the United States Army, may be enlisted or re-enlisted in the Kentucky National Guard for a term of not less than three years. A man who has been dishonorably discharged or discharged without honor from the United States Army, United States Navy, Marine Corps, the organized militia of any other state, or from the organized militia of this State, shall not be eligible for enlistment or re-enlistment except he produce the written consent to such enlistment or re-enlistment of the commanding officer of the organization from which he was dishonorably discharged or discharged without honor, and of the officer who approved such discharge.

§ 34. Every person who enlists or re-enlists shall sign and make oath to an enlistment paper. Such oaths shall be taken and subscribed to before an officer authorized to accept enlistments. A person making a false oath as to any state-

ment contained in such enlistment papers shall upon conviction be deemed guilty of a misdemeanor and punished by a fine of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00).

§ 35. Enlisted men may be transferred to or from organizations, departments or corps or otherwise as provided by regulations approved by the Governor.

§ 36. Warrant officers shall be appointed and warranted by the Governor in his discretion upon the recommendation of the commanding officer of the organization with which they are to serve. Non-commissioned staff officers and non-commissioned officers shall be warranted:

(a) In brigades, in regiments, in battalions or squadrons not part of a regiment and in similar organizations by the commanding officer thereof.

(b) In the staff corps by the senior officer thereof; in the medical department, by the senior medical officer, where such medical force or detachment is not part of a regiment, brigade or similar organization.

(c) In all cases not hereinbefore provided for by the Adjutant General.

All non-commissioned officers shall be warranted in the discretion of the officer issuing the warrant, upon the written recommendation of the officer under whose immediate command they shall respectively serve. When an examination is required by Federal laws or regulations or by State regulations, no enlisted man shall be warranted until he shall have successfully passed such examination. In all other cases warrants may be issued without examination. The officer warranting a non-commissioned officer shall have power to reduce him to the ranks.

§ 37. When an enlisted man of the National Guard absents himself without leave and there is reason to believe that

he does not intend to return, he may be dropped from the rolls under such regulations as may be prescribed.

§ 38. An enlisted man dropped from the rolls may be restored to duty by the Governor and will thereafter serve for such period as added to the time served prior to his desertion will amount to the full term for which he enlisted.

§ 39. An enlisted man shall not be discharged before the expiration of his term of service, except (1) By order of the Governor; (2) By sentence of court martial, approved by the Governor. When an enlisted man is discharged for expiration of service his discharge shall take effect on the last day thereof, i. e., if enlisted on the second day of the month, his term will expire on the first day of the same month in the third year of his term of enlistment. A soldier on his discharge from service will be given a certificate of discharge, signed by his commanding officer and approved by the Adjutant General. The character given on a discharge will be signed by the company or detachment commander, and great care will be taken that no injustice is done the soldier. If the soldier's service has been honest and faithful, he will be entitled too such character as will warrant his re-enlistment, that is, to character, at least "good." Where the company commander deems the service not honest and faithful, he shall, if practicable, so notify the soldier at least thirty days prior to discharge, and shall at the same time notify the Adjutant General, who will, if requested in writing by the soldier, convene a board of officers, three is practicable, to determine whether the soldier's service has been honest and faithful. The finding of the board, when approved by the convening authority, shall be final.

§ 40. An enlisted man may be discharged without honor: (a) without trial, on account of fraudulent enlistment; (b) without trial, on account of having been disqualified for service, physically or in character, through his own misconduct; (c) on account of imprisonment under sentence of civil courts; (d) when the service has not been honest and faithful; (e) when especially ordered by the Governor for any other reason.

§ 41. A dishonorable discharge shall be given only by sentence of a general court martial approved by the Governor.

§ 42. Upon satisfactory proof of the loss of a discharge certificate or of its destruction without the fault of the person entitled to it, the Adjutant General may cause to be issued to such person a certificate of service, showing date of enlistment and discharge from the military service and character given on the original discharge certificate.

§ 43. Any soldier of the National Guard who shall refuse or neglect to obey the orders of his commanding officer, or of any officer or non-commissioned officer, issued as provided in this act, or who shall hinder, interfere with or prevent any other soldier from performing any duty under such order, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding one hundred dollars ($100.00) or by imprisonment in the county jail for not exceeding thirty days, or by both such fine and imprisonment.

§ 44. Upon affidavit and complaint being filed with any county judge, police judge or magistrate, by any officer of the Kentucky National Guard, any soldier of the Kentucky National Guard who shall fail or refuse to obey any lawful order of any officer or non-commissioned officer placed over him, or shall violate any law, rule or regulation governing the Kentucky National Guard, or shall absent himself from any drill, assembly for instruction, encampment, inspection, or other duty or service which he may have been ordered to attend, shall be deemed guilty of a misdmeanor, and upon conviction shall be fined in any sum not exceeding fifteen dollars ($15.00), or imprisoned in the county jail not exceeding fifteen days, or both so fined and imprisoned. No appeal shall lie to any court from any conviction under this section, but a conviction or acquittal in any civil court shall bar a prosecution for the identical offense in any military court. The jurisdiction of general courts martial and summary courts shall not be affected by this law, further than to allow any commissioned officer of the Kentucky National Guard to begin any prosecution he may see fit against any enlisted man in any of the civil courts herein mentioned.

§ 45. Except when in the service of the United States, officers and enlisted men, when employed in active field service of the State, as provided and defined in this Act, beginning with the day they assemble at their armories or other designated place until the day they return thereto and have been properly relieved, inclusive, fractional parts of a day counting as a full day, shall receive pay at the following daily rates:

Major General	$12.00	Warrant Officer	$3.50
Brigadier General	10.00	Master Sergeant	3.00
Colonel	8.00	Technical Sergeant	2.75
Lieutenant Colonel	7.00	First Sergeant	2.50
Major	6.00	Staff Sergeant	2.25
Captain	5.00	Sergeants	2.00
First Lieutenant	4.50	Corporal	1.75
Second Lieutenant	4.00	Privates	1.50

and in addition thereto actual and necessary cost of transportation, when such transportation is not furnished in kind. Officers shall be allowed a flat per diem of three dollars ($3.00) per day in lieu of quarters and subsistence, when such quarters and subsistence are not furnished in kind. Enlisted men shall receive subsistence in addition to the pay and transportation provided above.

§ 46. For duty at all encampments ordered by the Governor, except when authorized and paid by the Federal Government, each commissioned officer and enlisted man shall receive the pay and allowances provided in this Act, except that members of rifle teams or other teams of officers and men competing in any competition for which they may volunteer shall not receive pay as provided in this Act, but may receive actual and necessary expenses, including transportation and subsistence.

§ 47. For service and attendance upon general courts martial, courts of inquiry and boards appointed by the Governor as member, judge advocate, recorder or witness, or upon inspection or other duty ordered by the Governor, officers and enlisted men, when not engaged on duty for which pay is pro-

vided, shall receive the same pay and allowances as is provided for other active duty service.

§ 48. General courts martial, courts of inquiry and boards, convened by order of the Governor, may require the attendance of civilian witnesses by the issuance and service of subpoenas in the same manner as is provided in the laws of this State for courts of record. The same fees and allowances shall be paid such witness as are provided in the laws of this State for civil courts, and shall be paid by the Adjutant General out of State funds upon vouchers therefor certified to by the president of the court or board.

§ 49. (a) A member of the National Guard who shall, when on duty or assembled therefor, in case of riot, tumult, breach of peace, insurrection or invasion or whenever ordered by the Governor, or called in aid of the civil authorities, receive any injury or incur or contract any disability or disease by reason of such duty or assembly therefor, or who shall without fault or neglect on his part be wounded or disabled while performing any lawfully ordered duty, which shall incapacitate him from pursuing his usual business or occupation, shall receive the pay provided by this law and actual necessary expenses for care and medical attention during the period of such incapacity not exceeding ninety days from the date of receiving the injury or of incurring or contracting the disease or disability. Where a claim is made under this section, the Adjutant General may cause examinations of the claimant to be made from time to time by a medical officer or officers designated by him, and he may direct the removal of the claimant to and his treatment in a hospital designated by the Adjutant General, and if the claimant refuse to permit such examination or if he refuses to go to such hospital or to follow the advice given or treatment prescribed for him therein, he shall forfeit and be barred from all right to any claim, pay or allowance under this section.

(b) The body of an officer or enlisted man, who dies while in active service or on active duty while his command is absent from its home station, shall, under the direction of his com-

manding officer, be properly prepared for burial, enclosed in a suitable casket, and escorted to his late residence by a proper escort; provided, that the cost of embalming and preparing the body for burial and cost of casket combined shall not exceed the sum of one hundred dollars ($100.00). The cost of such preparation for burial and casket and escort shall be a proper charge against the State and shall be paid from the treasury on properly certified and approved vouchers.

§ 50. If an enlisted man wilfully, maliciously, purposely or through carelessness or neglect permits any of the arms, utensils, clothing, bedding, or other equipment issued to him, being public property or belonging to the State or to the United States, to become lost, damaged or in any other manner unfit for its proper use, the commanding officer of his company, troop, battery or other organization shall charge the value of such article or articles against the pay of the enlisted man, and it shall be collected on such forms and under such regulations as may be prescribed.

§ 51. Payments under the preceding sections shall be made on such forms as directed by and upon voucher approved by the Adjutant General out of moneys in the treasury, appropriated for that purpose. The necessary commissary and quartermaster stores and medical supplies, transportation for troops in service, transportation and subsistence of organizations of the National Guard representing the State officially on occasions of ceremony within or without the State shall be contracted for by the proper departmental officers and paid for in like manner.

§ 52. The system of tactics and field exercises for the Army of the United States shall be the system of tactics and field exercises for the National Guard of this State.

§ 53. Each company, troop and battery and detachment in the National Guard shall assemble for drill and instruction, including indoor target practice, not less than forty-eight times each year and shall in addition thereto participate in encampments, maneuvers or other exercises, including out-

door target practice, at least fifteen days in each year, unless such company, troop, battery or detachment shall have been excused from participation in any part thereof by the Governor, provided that credit for an assembly for drill shall not be given unless the assembly shall equal or exceed a minimum to be prescribed by the Governor, nor unless the period of actual military duty and instruction participated in by each officer and enlisted man at each assembly at which he shall be credited as having been present shall be of at least one and one-half hours duration and the character of training such as may be prescribed by the Governor.

§ 54. The Governor may order the National Guard, or any portion thereof, to perform military duty of every description and to participate in small arms and gunnery practice and competition in this State, or in any other state or territory, or the District of Columbia, or in any fort, camp or reservation of the United States therein, and he may authorize the performance of military duty or participation in small arms or gunner competition by any part of the National Guard anywhere without the State or without the United States.

§ 55. The National Guard shall be provided by the State with such arms, equipment, colors, camp and garrison equipage, books of instruction and of record, and other supplies, as may be necessary for the proper performance of the duty required by this law; and each command shall keep such property in proper repair and in good condition. The National Guard shall, as far as practicable, be uniformed, armed and equipped with the same type of uniforms, arms and equipment as are, or shall be, provided for the Regular Army, and no organization of the National Guard shall be furnished by the State with any other type of uniforms, arms, or equipment than are, or may be, furnished by the United States to the members of the Regular Army.

§ 56. Every commissioned officer shall provide himself, at his own expense, with the arms, uniforms and equipment required to be worn by officers of the Regular Army of the United States.

§ 57. Every officer and enlisted man to whom public property has been issued shall be personally responsible to the State for such property, and no one shall be relieved from such responsibility, except it be shown to the satisfaction of the Governor that the loss or destruction of such property was unavoidable and in no way the fault of the person responsible for same. In all other cases the value of the property lost or destroyed in the amount determined by a surveying officer or a board, as herein provided, shall be charged against the person at fault or with the concurrence of its commanding officer to the command to or for which it has been issued, and if not relieved from such charge by the Governor, it shall be an indebtedness from such person or command to the State.

§ 58. Any person who shall wear any uniform, or any device, strap knot, or insignia of any design or character used as a designation of rank, grade or office, such as by law or by general regulation is prescribed for the use of the Kentucky National Guard, except a member of the Army and Navy of the United States, the National Guard of this or any other state, members of associations wholly composed of soldiers honorably discharged from the service of the United States, or any state, and the faculty and students of educational institutions, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) at the discretion of the court or jury.

§ 59. The military shall be, at all times and in all cases, in strict subordination to the civil power.

§ 60. The officers and enlisted men of the Kentucky National Guard shall be exempt from jury service.

§ 61. Such officers as may be designated by the Governor shall execute proper bond to the State of Kentucky, in such sum as the Governor may prescribe, and no officer shall be relieved of any bond he may have executed, nor shall his surety be relieved, nor shall his estate be effected in any way, by resignation, discharge, change in official position, or death,

until final settlement of all his accounts has been made and a certificate of such settlement issued by the Adjutant General. The Adjutant General shall, if possible, obtain a surety company bond or bonds, running to the State of Kentucky, covering such officers as are designated to be bonded, and the premium or premiums on said bond or bonds shall be paid the State military fund; otherwise such officer shall execute personal bond with good and approved surety running to the State of Kentucky. Should any officer fail to qualify by furnishing the prescribed bond within fifteen days after his appointment, or to renew same within fifteen days after the original bond shall expire, the office shall be deemed vacant and shall be so declared to be vacant.

§ 62. Every armory, drill hall, stable or parts of buildings or grounds occupied or used by the Kentucky National Guard for military purposes shall, during the period of its occupancy for such purposes, be under the control of the commanding officer so using same, and any person who intrudes or enters therein contrary to his orders, or who molests or obstructs the troops, or any of them, so occupying such premises, shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not exceeding one hundred dollars ($100.00); and it shall be lawful for such officer to arrest such person and turn him over to the civil authorities for trial.

§ 63. All articles of military property furnished for the use of the several organizations of the Kentucky National Guard shall be kept in the armory or storerooms of the command, except when in use for authorized military purposes. No article of military property shall be used for other than authorized military purposes.

§ 64. No officer or soldier shall wear, or use, or have in his possession, except for authorized military purposes, or by special permission of his commanding officer, any uniform or part thereof, or any other article of military property belonging to the State or the United States; and any officer or soldier violating any provision of this section shall, upon con-

viction, be punished therefor by imprisonment in the county jail not exceeding thirty days, or by a fine not exceeding fifty dollars ($50.00), or by both such fine and imprisonment.

§ 65. If any person shall receive, conceal, or aid in concealing, or have or retain in his possession with intent to convert to his own use or gain any property, record, voucher or valuable thing whatsoever pertaining to the military establishment of the State, and belonging to the State or the United States, which has theretofore been embezzled, stolen or purloined from the State by any other person, knowing the same to have been so embezzled, stolen or purloined, such person shall be deemed guilty of a felony, and on conviction shall be confined in the penitentiary for not less than one nor more than three years; and such receiver may be tried either before or after the conviction of the principal felony but, if the party has been convicted, then the judgment against him shall be conclusive in the prosecution against such receiver that the property of the State or of the United States herein described has been embezzled, stolen or purloined.

§ 66. The clothes, arms, military outfits and accoutrements furnished by the United States, through the agency of the State, to any officer or soldier of the Kentucky National Guard shall not be sold, bartered, exchanged, pledged, loaned or given away; and no person, not a soldier or duly authorized officer of the State, who has possession of any such clothes, arms, military outfits or accoutrements so furnished, and which have been the subject of any such barter, exchange, pledge, loan, or gift, shall have any right, title or interest therein, but the same may be seized and taken wherever found by any officer of the State, civil or military, and shall thereupon be delivered to the Adjutant General of the State or other officer authorized to receive the same. The possession of such clothes, arms, military outfits or accoutrements by any person not a soldier or officer of the State shall be presumptive evidence of such a sale, barter, exchange, pledge, loan or gift.

§ 67. No officer or enlisted man shall be arrested on civil process, except in case of a felony, while going to, remaining

at, or returning from a place where he is ordered to attend for military service or duty.

§ 68. Officers and enlisted men of the Kentucky National Guard while in active field service, going to or returning from any parade, encampment, drill or meeting which they may be required by law to attend, shall, together with their vehicular conveyances, animals and military property of the State or the United States in their custody, be allowed to pass free through toll gates and over all interstate and intrastate toll bridges and ferries, if they be in uniform or present a written order signed by an officer of the Kentucky National Guard.

§ 69. Any person, master or keeper of a toll gate, toll bridge or ferry, or any person in charge thereof, who wilfully hinders or delays any member of the National Guard or refuses free passage to any such member going to or returning from any parade, encampment, drill or meeting which he may be by law required to attend, or wilfully hinders, delays or refuses free passage to any conveyance or military property of the State in charge of a member of said National Guard, is guilty of a misedmeanor, and shall be fined for each offense not exceeding the sum of twenty-five dollars ($25.00).

§ 70. It shall be unlawful for any body of men whatsoever other than the National Guard of this State and the troops of the United States to associate themselves together as a military company or other armed organization, or to drill or parade with arms anywhere within the State without the license of the Governor therefor, which license of the Governor may at any time be revoked; provided, that nothing herein contained shall be construed to prevent benevolent or social organizations from wearing swords or students in educational institutions, chartered under the laws of the State, wherein military science is part of the course of instruction, from drilling and parading with arms in public, under the superintendence of their instructors. Whoever offends against the provisions of this section, or belongs to or parades with any such unauthorized body of men with arms, shall be punishable by a fine of not less than ten dollars ($10.00) nor more than

fifty dollars ($50.00), or imprisoned in the county jail for a term not exceeding six months, or both.

§ 71. A person who, either by himself or with another, wilfully deprives a member of the National Guard of his employment, or prevents his being employed by himself or another, or obstructs or annoys said member of said National Guard, or his employer, in respect of his trade, business or employment because said member of the National Guard is such member, or dissuades any person from enlistment in the said National Guard by threat of injury to him in case he shall so enlist in respect of his employment, trade or business, is guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00), or by imprisonment in the county jail not less than ten (10) nor more than fifty (50) days, either or both, at the discretion of the court or jury.

§ 72. No association or corporation, constituted or organized for the purpose of promoting the success of the trade, employment or business of the members thereof, shall by any constitution, rule, by-law, resolution, vote or regulation, discriminate against any member of the National Guard of the State of Kentucky because of such membership in respect to the eligibility of such member of the National Guard to membership in such association or corporation, or in respect of his right to retain said membership; it being the purpose of this and the preceding section to protect a member of the said National Guard from disadvantage in his means of livelihood and liberty, but not to give him any preference or advantage on account of his membership in said National Guard. A person who aids in enforcing any such provision against any member of the said National Guard with the intent to discriminate against him because of such membership is guilty of a misdemeanor, and shall be punished as provided in the preceding section.

§ 73. The military courts of this State for the National Guard, not in the service of the United States, shall be:

(a) Courts of inquiry.

(b) General courts martial.

(c) Special courts martial.

(d) Summary courts martial.

They shall be constituted like and have cognizance of the same subjects and possess like power, except as to punishments, as similar courts provided for by the regulations and laws governing the Army of the United States, and the proceedings of courts martial of the National Guard shall follow the forms and modes of procedure prescribed for said similar courts in the Regular Army. The sentences of all courts martial shall be carried into effect upon the approval of the convening authority, which shall have power to remit or mitigate any sentence.

§ 74. Courts of inquiry shall consist of from one to three officers of at least equal grade with the officer, or with the senior officer if there be more than one, in regard to whom the court is ordered, and may be ordered by the Governor or by his direction by the Adjutant General, to examine into the nature of any transaction of or accusation or imputation against any officer or soldier, or of any happening, occurrence or condition which may affect the National Guard or its efficiency or welfare. The Court shall, without delay, report to the officer ordering it the evidence adduced, a statement of the facts and, when required, an opinion thereon. Any officer may request a court of inquiry.

§ 75. General courts martial of the National Guard may be convened by order of the Governor, and such courts shall have the power to impose fines not exceeding two hundred dollars ($200.00); to sentence to confinement not exceeding eight months; to sentence to forfeiture of pay and allowances; to a reprimand; to dismissal or dishonorable discharge from the service; to reduction of non-commissioned officers to the ranks; or any two or more of such punishments may be combined in the sentences imposed by such courts.

§ 76. The commanding officer of each garrison, fort,

post, camp or other place, brigade, regiment, detached battalion or other detached command, may appoint special courts martial for his command, but such special courts martial may in any case be appointed by superior authority when by the latter deemed advisable. Special courts martial shall have power to try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the military laws of the State of Kentucky or the United States, and such special courts martial shall have the same powers of punishment as do general courts martial, except that fines imposed by such courts shall not exceed one hundred dollars ($100.00).

§ 77. The commanding officer of each garrison, fort, camp, post or other place, regiment or corps, detached battalion, company, troop, battery, or other detachment of the National Guard, may appoint for such place or command a summary court to consist of one officer, who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of military laws; and said court may impose fines not exceeding twenty-five ($25.00) dollars for any single offense; may sentence non-commissioned officers to reduction to the ranks; may sentence to forfeiture of pay and allowances. The proceedings of such court shall be informal and the minutes thereof shall be the same as prescribed for summary courts of the Army of the United States.

§ 78. All courts martial of the National Guard, including summary courts, shall have the power to sentence to confinement in lieu of fines authorized to be imposed; provided, that such sentences of confinement shall not exceed one day for each dollar of fine authorized; provided, further, that no sentence of confinement imposed by a summary court shall be carried into effect until the sentence shall have been approved by an officer of field grade.

§ 79. An accused appearing before a general courts martial or summary court shall have the right to be represented by counsel; such counsel may be a commissioned officer of the

Kentucky National Guard or any duly licensed lawyer in the State of Kentucky.

§ 80. No sentence of dismissal from the service or dishonorable discharge imposed by a National Guard court martial shall be executed until approved by the Governor of the State of Kentucky.

§ 81. Presidents of courts martial, courts of inquiry and military boards, and summary court officers shall have power to issue warrants to arrest, or cause to be arrested, accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court, a copy of the charge or charges having been delivered to the accused with such order, and to issue subpoenas duces tecum, and to enforce by attachment attendance of witnesses, and the production of books and papers. The refusal of a witness to appear in answer to a subpoena, to be sworn or to answer, shall be a contempt of said court and shall be punishable by a fine of not to exceed thirty dollars ($30.00), which may be imposed by such court or board.

§ 82. All processes and sentences of said courts shall be executed by sheriffs or other civil officers of the State of Kentucky, and it shall be the duty of such officers to execute all such processes and sentences and make return thereof to the officer issuing or imposing the same. Upon failure of any such officer to execute such processes and sentences, they shall be guilty of a misdemeanor and subject to a fine of not exceeding twenty-five dollars ($25.00) for each offense.

§ 83. Any jail or prison of the State shall be used as a place of imprisonment or detention for any person convicted and sentenced to imprisonment or detention of any person convicted and sentenced to imprisonment by a court martial or summary court, and every jailer or warden shall, upon notification by authority approving the sentence, receive and confine each person so convicted, and shall carry into execution the sentence of such court martial or summary court as if

they were the directions and orders of properly constituted civil authorities, ordering the confinement of persons for criminal offense. The cost of imprisonment or detention shall be a proper charge against the county in which the prisoner is confined, and shall be paid for at at the same rate as those prescribed for the detention of other prisoners in the county jail. The authority which has designated the place of confinement may change the place of confinement of any prisoner under the jurisdiction of such authority.

§ 84. The Act of the General Assembly of Kentucky adopted at its 1924 session, creating the Armory Commission of Kentucky and providing armories for the Kentucky National Guard, and which was approved March 15, 1924, and which is now in effect, shall continue in effect and none of its provisions are abridged or abrogated by this law or any its sections.

§ 85. The Adjutant General shall for his services receive an annual salary of three thousand, six hundred dollars ($3,600.00) out of the State treasury, payable in equal monthly installments.

§ 86. The Assistant Adjutant General shall for his services receive an annual salary of one thousand, eight hundred dollars ($1,800.00) out of the State treasury, payable in equal monthly installments.

§ 87. The compensation of other officers and employees in the Military Department shall be fixed by the Adjutant General with the approval of the Governor.

§ 88. Before entering upon the duties of his office the Adjutant General shall be required to execute bond running to the Commonwealth of Kentucky in the sum of ten thousand ($10,000.00) dollars, conditioned upon the faithful performance of his duties as Adjutant General.

§ 89. Before entering upon the duties of his office the Assistant Adjutant General shall be required to execute bond

running to the Commonwealth of Kentucky in the sum of five thousand ($5,000.00) dollars, conditioned upon the faithful performance of his duties as Assistant Adjutant General.

§ 90. The Adjutant General shall have the power to require such officers and employees in the Military Department to execute bonds running to the Commonwealth of Kentucky in such sums as he may think reasonable to properly safeguard the interests of the Commonwealth, considering the responsibilities and the duties which such officers or employees are required to perform.

§ 91. When said bonds given by the Adjutant General, Assistant Adjutant General and other officers and employees in the Military Department are surety company bonds, then the cost of the premiums on said bonds shall be a proper charge against the Military Fund, and said premiums shall be paid out of said fund by vouchers approved by the Adjutant General.

§ 92. Officers of the Kentucky National Guard when ordered on active duty by the Governor shall have the same right to carry arms, and in the same manner, as sheriffs and other peace officers of the Commonwealth are now permitted and authorized by law to do.

§ 93. Organizations, officers and enlisted men of the Kentucky National Guard who are or may be hereafter Federally recognized and authorized to receive Federal pay, arms and equipment shall be in Active Service within the meaning of this Act. Troops of the Kentucky National Guard ordered into service as prescribed in this Act for the enforcement of the law and for the preservation of the peace and security of the rights and lives or property of citizens shall be deemed to be in Active Field Service. Officers employed under orders of the Governor in making tours of inspection, mustering in or mustering out troops making surveys of military property, sitting on courts martial, summary courts, efficiency boards, courts of inquiry or boards of officers, shall be deemed to

be in Active Field Service. Orders in every case shall state if pay and travel are allowed and the expenses allowed.

§ 94. A person who excludes from the equal enjoyment of any accommodation, facility or privilege furnished by innkeepers or common carriers, or by owners, managers or lessees of theaters or other places of amusement or resort, any person lawfully wearing the uniform of the Army, Navy or Marine Corps of the United States because of that uniform, is guilty of a misdemeanor, and shall be punished by a fine of not less than ten ($10.00) dollars nor more than fifty ($50.00) dollars, or by confinement of not less than ten days nor more than sixty days, or both in the discretion of the court or jury.

§ 95. That no red or black flag nor any banner, ensign or sign having upon it any inscription opposed to organized government, or which is sacrilegious, or which may be derogatory to public morals, shall be carried in parade within this State or displayed upon any street or building therein; and it shall be unlawful to display the flag of any anarchistic society upon any public or private building or to carry or display such flag in any street procession or parade within this State. Nothing in this Act shall apply to any pennant of any university, college or other recognized institution of learning.

§ 96. Whoever levies war against this State or the United States or knowingly adheres to the enemies of either, giving them aid and comfort, is guilty of treason against the State of Kentucky and shall be imprisoned in the penitentiary for life.

§ 97. Whenever the National Guard of this State shall be called into active service by the Governor for any purpose, requiring the service of members thereof who may be students in any institution of learning within the State, no teacher, professor, principal or president of any such institution shall discriminate against any such student by reason of such absence, but shall credit him with all academic work accomplished to the date of such absence.

§ 98. The Adjutant General or such officers as the Governor may designate shall inspect at least once in each year, or oftener if the Governor deems it necessary, all headquarters, arsenals, storehouses, armories, organizations and all military property belonging to the State and military property that has been issued to the State by the United States, and such inspector or inspectors, shall render a detailed report to the Adjutant General of the condition of same.

§ 99. Officers and enlisted men of the National Guard ordered into active service of the State by proper authority shall not be liable civilly, or criminally, for any act, or acts, done by them in pursuance of duty in such service.

§ 100. Each regiment and separate battalion may have a council of administration, composed of its officers, which shall be charged with the care and control of the fiscal affairs of the organization, may adopt suitable by-laws, effective on the approval of the Governor, and may elect not more than twenty-five honorary members for each company, battery, troop or equivalent unit; said honorary members to be entitled to exemption from jury service, upon their payment annually, or oftener, as the council shall so determine, of a sum not less than fifty dollars ($50.00); and the money thus obtained shall be for the use of the regimental or battalion fund, to be expended by the commanding officer in such manner as, in his judgment, the interests of the organization require. Each unit not under the control of a regimental or battalion council of administration may also have a council of administration, composed of its officers, and it shall have the same powers as prescribed herein for a regiment and separate battalion.

§ 101. All acts or parts of acts in conflict herewith are to the extent of such conflicts hereby repealed.

§ 102. If any section, subsection, sentence, clause or phrase of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act,

as it is the intention of the General Assembly in the enactment of this Act to enact each and every section separately and independently of each other.

§ 103. Whereas it is important for the betterment of the Military Department of the State for this Act to take effect immediately, an emergency is hereby declared to exist and this Act shall be effective upon its passage and approval by the Governor.

ORDERS OF THE DAY

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 54. An Act to amend and re-enact Section 199A of Carroll's 1930 Kentucky Statutes and being Chapter 143 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1906 session thereof, and entitled, "An Act to regulate burial associations, corporations and companies doing business in the State of Kentucky," as amended by "Chapter 72 of the 1908 Acts of the General Assembly of the Commonwealth of Kentucky," entitled, "An Act to amend Section 2 of an Act entitled, 'An Act to regulate Burial Associations, corporations and companies doing business in the State of Kentucky,' " which Act became a law, March 24, 1906, without the approval of the Governor.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 143 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1906 session thereof, as amended by Chapter 72 of the 1908 Acts, be amended and re-enacted so that the same when so re-enacted shall read as follows:

Section 1. The term "Burial Associations" within the

meaning of this Act, shall mean and include all persons, individuals, firms, partnerships, co-operative and other kind of societies, corporations and organizations of every kind, which, in the consideration of the payment of dues, fees, assessments or premiums, shall issue any kind of agreement, policy, contract bond, assurance or guarantee, or have in effect any by-law under which the insured is to be provided, in case of death, with a funeral or funeral expenses.

Section 2. It shall be unlawful for any association as herein defined, to issue or cause to be issued, any agreement, policy, contract, bond, assurance or guarantee, or have any by-laws which shall provide for the payment of any funeral benefit in merchandise or services, but all payments of benefits thereunder must be made in money.

Section 3. Every Burial Association, as herein described, shall before commencing such business, or continuing therein, execute articles of incorporation as now required by law, and file same in the office of the Insurance Commissioner of this State; but before same shall be filed, it shall be referred to, and examined by, the Attorney General, and if found by him to be conformable to the requirements of law and not inconsistent with the laws of this State, he shall certify accordingly and return same with his certificates of such conformity, to the Insurance Commissioner, who shall cause said articles, with the certificate of the Attorney General, to be recorded in a book to be kept for that purpose, and shall deliver to such associations certified copies of papers so filed and recorded in his office, and all certificates of the Attorney General, together with license of said Associations, to engage in the business proposed in said declaration, upon such certified copy and license being filed in the office of the Clerk of the county wherein the association is to be located, said corporators and those who may become associated with them, or their successors, shall constitute a body, politic or corporate, and lawfully entitled to commence business.

Section 4. Each Burial Association, as defined in this

Act, shall deposit with the Treasurer of the Commonwealth, securities to the amount of not less than One Hundred Thousand ($100,000.00) Dollars, to be held by the said Treasurer for the benefit of the policy holders of the Burial Association making such deposit. Such securities shall be of the nature and kind in which domestic life insurance companies are allowed by law to invest their capital, but such associations shall have, at all times, on approval of the Insurance Commissioner, the right to exchange any part of such securities for other of like amount or character.

When any Burial Association shall discontinue business or when for any cause a dissolution shall be decreed, or when for sixty (60) days any judgment shall remain unsatisfied, a Circuit Judge in any county wherein said Burial Association has transacted business, may appoint a receiver to distribute its assets among its policy holders for any persons having claims against said association, the same to be applied first, on accrued or natural claims, certificates or policies; second, on claims of any other kind or character; third, in the payment to members or policy holders of all dues paid in by them, and if a balance remains after payment of the above named claims, then such sum is to be returned to said Burial Association.

Section 5. Such Burial Association, desiring to do business in this State, shall file with the Insurance Commissioner like power of attorney as is now required of insurance companies, designating the Insurance Commissioner as proper person upon whom process may be served.

Section 6. All such Burial Associations doing business contemplated by this Act, shall pay an annual license tax of one hundred ($100.00) dollars to the State of Kentucky; such tax to be paid through the insurance department, as license tax is now paid by insurance companies; and in addition thereto such associations shall pay the same fees as assessment life insurance companies are now required to pay to organize in this State.

Section 7. All such Burial Associations shall, on or before the first day of March in each year, make and file with the Insurance Commissioner report of the affairs and operations during the year ending December thirty-first immediately preceding. Such reports shall be upon blank forms furnished by the commissioner and shall be verified under oath by the authorized officers of such associations, and report shall be published, or substance thereof, in the annual report of the Insurance Commissioner, and shall report the number of outstanding policies, bonds and certificates, also the number of matured policies, bonds and certificates, and shall also report to said commissioner all other information connected with their business as said commissioner may require. Said commissioner shall have the right to make any examination of the books or affairs of such associations as is now given by law to the Insurance Commissioner in the examination of insurance companies in this State.

Section 8. If upon examination of such associations by the commissioner or any person designated by him to make such examination, it shall appear that the liabilities of said association exceed its resources, and it cannot in a reasonable time, not more than three months from the date of the original default, pay its accrued indebtedness in full, he shall report the facts to the Attorney General, who shall, upon the commissioner's report, apply to the Judge of the Franklin Circuit Court, or to the Judge of the Circuit Court of the county wherein such association is located, for an order closing the business of the association, and appointing a receiver for the distribution of its assets among creditors. No such final order shall be made until the association shall have ten days' notice of the application and an opportunity to be heard. And upon hearing the matter, the court shall have the power to make any order which the interest of the association and the public may require.

Section 9. All policies, certificates or bonds hereafter issued to persons within the Commonwealth, by Associations transacting business under this law, which policies or certifi-

cates contain any reference to the application of the insured or the Constitution, by-laws or other rules of the association, either as forming a part of the policy or contract between the parties thereto or having any bearing on said contract, shall contain or have attached to said policy or certificate a correct copy of the application as signed by the applicant, and the portions of the constitution, by-laws or other rules referred to, and unless so attached and accompany the policy, no such application, constitution, by-laws or other rules shall be received as evidence in any controversy between the parties to or interested in said policy or certificate, and shall not be considered a part of the policy or contract between such parties.

Section 10. Any Burial Association as herein defined, now in business or hereafter organized, failing to comply with the provisions of this Act, shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred ($100.00) dollars nor more than five hundred ($500.00) dollars, and each day they shall so engage in business without complying with the provisions of this Act, shall be a separate offense, and the issuance of any agreement, policy, contract, bond, assurance or guarantee, or the enforcement of any by-law in violation of the terms of this Act, shall also be a separate offense, provided, however, that this Act shall not apply to fraternal societies, or fraternal beneficiary societies, nor to assessment, life and accident insurance companies or associations existing or operating under or by virtue of any statute of this State, nor to any society which pays sick or disability benefits and which limits its membership to a particular class of persons or to the employees of a designated person, firm or corporation.

Senator Littrell moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Alex E. Johnson	J. M. Rose
W. W. Booles	L. C. Littrell	R. H. Royster
H. M. Brock	Frank I. Lloyd	E. D. Stephenson
Edwin C. Dawson	Rev. C. D. McCaw	Joe Stewart
Dr. T. J. Edge	C.T.McCormick,Sr.	Thos. O. Turner
Thos. C. Ferguson	Wm. Mehler	Fred C. VanHoose
Walter N. Flippin	E. C. Moore	F. M. White
Chas. G. Franklin	Ray B. Moss	Sewell B. Williams
J. S. W. Holloway	D. C. Naive	W. A. Yates
Robert Humphreys	Marion F. Pogue	Allie W. Young
Wm. Isaacs		—31

Those who voted in the negative were:

Dr. G. W. Ragan —1

Resolved that the title thereof be as aforesaid.

Senator Littrell moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 40. An Act requiring all county and state officers to issue official receipts, serially numbered, for all collections of money made in an official capacity, prescribing the method of issuing the receipts and fixing the penalty for violations.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any person, whether the head official officer of any state department or institution, or his assistant, or any clerk or other employee of said department or institution, or any county official, shall issue an official receipt for any money received by him as representative of said department or institution or office, and it shall be unlawful for any person to receive or accept any fees, licenses, taxes, or other money due any department, institution or officer without issuing and delivering to the person paying said money an official receipt duly signed in his official capacity and showing the name of the person paying the money, the amount, the nature and the date of payment.

The official receipts shall be issued in duplicate, the original copy being written in ink and the duplicate a carbon copy. The carbon copy shall be delivered to the person paying the money and the original retained in the records of the office, department or institution, or delivered to the state auditor of public accounts as otherwise provided by law, provided this section shall not change the methods now in use by sheriffs or other collectors of taxes on property previously assessed, or the auditor of public accounts. The receipts shall be issued serially and all members shall be properly accounted for.

Any department or institution having field representatives authorized to receive monies shall furnish such representatives with official receipt forms and shall keep an accurate record of such forms furnished each representative and accounted for by him.

It shall be unlawful to issue any receipt except upon the official form duly adopted by the department or institution or officer and bearing the proper serial number.

It is the intention of this law that all entries of cash receipts entered in the cash records of any department, institution, or county office be supported by official receipts, numbered in such a way that all receipts may be accounted for.

Each officer shall keep an adequate record of all blank forms received supported by proper invoices or bills and of all forms used.

Any person violating the provisions of this law shall be fined fifty dollars for each offense and each separate transaction shall be a separate and additional offense subject to the penalty. Any officer who violates this law shall be subject to removal from office.

Senator Van Hoose moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Chas. G. Franklin	L. C. Littrell
W. W. Booles	J. S. W. Holloway	Frank I. Lloyd
H. M. Brock	Robert Humphreys	Rev. C. D. McCaw
Dr. T. J. Edge	Wm. Isaacs	C.T.McCormick,Sr.
Thos. C. Ferguson	Silas Jacobs	Wm. Mehler
Walter N. Flippin	Alex E. Johnson	E. C. Moore

Ray B. Moss	J. M. Rose	Sewell B. Williams
D. C. Naive	R. H. Royster	W. A. Yates
Marion F. Pogue	E. D. Stephenson	Allie W. Young
Dr. G. W. Ragan	Fred C. VanHoose	Gates F. Young
O. M. Rogers	F. M. White	—32

Resolved that the title thereof be as aforesaid.

Senator Van Hoose moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 268. An Act to amend Section 559, Kentucky Statutes, Carroll's 1930 Edition, by striking out of said section the words "two-thirds" and substituting in lieu thereof the word "majority."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any corporation may, by the consent in writing of its owners of at least a majority of its capital stock, change or amend any of the articles of its incorporation, and such alteration or amendment shall be signed and acknowledged by the directors or a majority of them, and filed and recorded as articles of incorporation are required to be.

Whereas, there are many corporations which need to have their capital stock reduced and it will be to the best interests of the persons or corporations who have money invested in them to have this act become operative upon its passage, for this reason an emergency is declared to exist and this act will

become operative upon its passage and approval by the Governor.

Senator Littrell moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Frank I. Lloyd	Marion F. Pogue
Edwin C. Dawson	Rev. C. D. McCaw	Dr. G. W. Ragan
Robert Humphreys	C.T.McCormick,Sr.	O. M. Rogers
Wm. Isaacs	Wm. Mehler	J. M. Rose
Silas Jacobs	E. C. Moore	R. H. Royster
L. C. Littrell	Ray B. Moss	Fred C. VanHoose

—18

Those who voted in the negative were:

D. C. Naive —1

Resolved that the title thereof be as aforesaid.

Senator Littrell moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 201. An Act relating to suits or actions by and against a county, city, municipality, and other taxing districts, to enjoin the issuance of bonds thereof, and forbidding the issuance thereof, except on the approval of a court of competent jurisdiction, prescribing the practice and fixing the burden of proof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any Fiscal Court, City Council, Board of Trustees of towns and other Taxing Districts, to issue and offer to sell any bond, or obligation thereof, until the issuance thereof has been approved by a court of competent jurisdiction, declaring the same are based upon and to cover an indebtedness thereof, within the constitutional limitation of the indebtedness governing the creation of such indebtedness, and any bond sold, assigned, transferred without the approval of such court, in advance of its issuance, shall be null and void, and the same shall not thereafter, directly or indirectly be assumed or paid by such county, city, municipality, or other taxing district.

§ 2. In every action instituted for the purpose provided for in Section 1 hereof, no bond or obligation of any county, city, municipality or other taxing district shall be approved by the court, until and unless it is alleged and proven by such county, city, municipality or other taxing district that the indebtedness thereof and for which the bond is intended to evidence, was created and was within the constitutional limitation of the indebtedness thereof, and unless and until the county, city, municipality or other taxing district, shall in appropriate pleading set forth each and every item of indebtedness, created and existing or unpaid and owing by the

county, city, municipality or taxing district during the period of time in which the indebtedness was created and for which the proposed bond or bonds is intended to cover. And it shall appear in such suit or action that the county, city or municipality or taxing district, that the officials in office at the time of the creation of such indebtedness have not had due regard for the finances of the county, city, municipality or other taxing districts, during the time in which said indebtedness was created, then the court shall not have the right and power to approve such bond issue. On all disputed issues, in such action or suit, the burden of proof shall be on the county, city, municipality or taxing district.

§ 3. All laws and parts of laws in conflict herewith, are hereby repealed.

Senator Gaines moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Perry B. Gaines	Alex E. Johnson
H. M. Brock	J. S. W. Holloway	L. C. Littrell
Edwin C. Dawson	Robert Humphreys	Frank I. Lloyd
Dr. T. J. Edge	Wm. Isaacs	Rev. C. D. McClaw
Walter N. Flippin	Silas Jacobs	C.T.McCormick,Sr.

Wm. Mehler	Dr. G. W. Ragan	F. M. White
E. C. Moore	O. M. Rogers	Sewell B. Williams
Ray B. Moss	J. M. Rose	W. A. Yates
D. C. Naive	R. H. Royster	Gates F. Young
Marion F. Pogue	Fred C. VanHoose	—29

Resolved that the title thereof be as aforesaid.

Senator Gaines moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 264. An Act to amend Chapter 165 of the 1930 Acts of the General Assembly of the Commonwealth of Kentucky entitled an Act relating to the creation of water districts in counties of this State, and providing for the establishment, construction or purchase of water systems.

Said bill reads as follows:

That Chapter 165 of the General Assembly of the Commonwealth of Kentucky entitled, "An Act relating to the creation of water districts in the counties of this State as approved March 26, 1930, be and the same is hereby amended by extending same as follows:

Section 1. That any Water District established in accordance with the provision of said Chapter No. 165 of the Acts of the General Assembly of 1930, is hereby authorized and empowered to purchase, establish, erect, maintain and operate additions, extensions and all necessary appurtenances to the water plant, pumping machinery, supply mains and principal delivery mains, the cost of which may not be assessed as a local benefit, within or without the boundaries of

said Water District under the limits of this Act for the purpose of supplying said Water District and the inhabitants thereof with water.

For the purpose of defraying the cost of acquiring any such additions, extensions and necessary appurtenances to the said water works, either by purchase or construction, any such Water District may borrow money and issue negotiable bonds, provided no such bonds shall be issued unless and until authorized by an ordinance specifying the proposed undertaking, the amount of bonds to be issued and the maximum rate of interest such bonds are to bear, which shall not be more than six per cent (6%) per annum. Such ordinances shall be enacted by the Water Commissioners of said Water District and shall provide that the proposed additions, extensions or necessary appurtenances which are to be constructed, purchased or acquired, are to be made pursuant to the provisions of this Act.

One or more of such additions, extensions or appurtenances owned by one or more corporations or persons may be acquired hereunder as a single enterprise, and the Water Commissioners shall have authority to agree with the owner or owners as to the value thereof and to purchase the same at such value.

All bonds under the provisions of this Act may be issued bearing interest at a rate not exceeding six per cent (6%) per annum, payable either annually or semi-annually and shall be executed in such manner and be payable at such times not exceeding twenty-five years from the date thereof and at such place or places as such Board of Water Commissioners shall determine.

Any and all such bonds shall have and are hereby declared to have in the hands of bona fide holders all the qualities of negotiable instruments under the law merchant and shall not be subject to taxation. In case any of the officers whose signatures or countersignatures appearing on the bonds or coupons shall cease to be such officers before delivery of such

bonds, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. Such bonds shall be sold in such manner and upon such terms as the Water Commissioners shall deem for the best interest of such Water District, or any contract for the purchase or acquisition of any such additions, extensions and appurtenances to the said water works may provide that payment thereof shall be made in such bonds. In no event shall any such bonds be negotiated on a basis to yield more than six per cent (6%). Such bonds when issued shall be payable solely from the revenue funds derived from such water works as provided in Section 8 hereof and shall not constitute an indebtedness of such water district within the meaning of the constitutional provisions or limitations. It shall be plainly stated on the face of each bond that same has been issued under the provisions of this Act and that it does not constitute an indebtedness of such water district within the meaning of any constitutional provisions or limitations.

All moneys derived from any bonds issued pursuant hereto shall be applied solely for the purchase, acquisition or erection of such additions, extensions and appurtenances to the said water works provided such money may be used also to advance the payment of interest on bonds during the first three years following the date of such bonds.

If there be any default in the payment of the principal or interest of such bonds any court having jurisdiction of the action may appoint a receiver to administer said water works on behalf of the water district with power to charge and collect rates sufficient to provide for the payment of any bonds or obligations outstanding against said water works and for the payment of the operating expenses and to apply the income and revenue in conformity with this Act and the ordinance referred to in Section 8 hereof.

At or before the issuance of such bonds the Board of Water Commissioners of such water district shall by ordi-

nance set aside and pledge the income and revenue of such water works into a separate and special fund to be used and applied in the payment of the cost of the said additions, extensions or appurtenances to said water works and in the maintenance, operation and depreciation thereof. Said ordinance shall definitely fix and determine the amount of revenue which shall be necessary to be so set apart and applied to the payment of the principal and interest of the bonds, and the proportion of the balance of such income and revenues which is to be set aside as a proper and adequate depreciation account, and the remaining proportion of such balance shall be set aside for the reasonable and proper operation and maintenance thereof. The rates to be charged for the service from such water works shall be sufficient to provide for the payment of interest upon all bonds and to create a sinking fund to pay the principal thereof as and when the same becomes due and to provide for the operation and maintenance thereof and adequate depreciation account. Such rates shall be fixed and revised from time to time so as to produce these amounts.

If any surplus shall be accumulated in the operating and maintenance funds which shall be equal to the cost of maintaining and operating such water works during the remainder of the calendar operating or fiscal year, as may be provided by the ordinance hereinbefore required and the cost of maintaining and operating such water works during the succeeding like calendar year, operating or fiscal year, any excess over such amount may be transferred at any time by the Water Commissioners to the depreciation account to be used for any improvements, extensions or additions to such water works.

The funds accumulating to the depreciation account shall be expended in balancing depreciation in such water works or in making new construction, extensions or additions thereto. Any such accumulations may be invested as the water commissioners may designate and if invested, the income from such investments shall be carried into the depreciation account.

Should the Board of Water Commissioners find that the

bonds authorized will be insufficient to accomplish the purpose desired, additional bonds may be authorized and issued subject to the procedure as herein required.

Whereas, water districts created under the act referred to in the title are without adequate supply of water to meet the increasing demands therefor and such companies are without power to lay mains to other sources of supply beyond these boundaries an emergency is declared to exist and this act shall be and become effective from and after its passage and approval.

Senator Rogers moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Alex E. Johnson	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	E. D. Stephenson
Thos. C. Ferguson	C.T.McCormick,Sr.	Joe Stewart
Walter N. Flippin	Wm. Mehler	Thos. O. Turner
Chas. G. Franklin	E. C. Moore	F. M. White
J. S. W. Holloway	Ray B. Moss	W. A. Yates
Robert Humphreys	D. C. Naive	Allie W. Young
Wm. Isaacs	Marion F. Pogue	Gates F. Young
Silas Jacobs	Dr. G. W. Ragan	—32

Resolved that the title thereof be as aforesaid.

Senator Rogers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 253. An Act relating to elections.

Said bill reads as follows:

§ 1. Any person, being qualified, otherwise than as to residence in the State and County, to vote in any primary or general election held in this State or any subdivision thereof, and who had theretofore come into the State, or into the county in which such election is held, from some other state, or into the county from some other county, for the purpose of attending any college or university located in this state, shall be entitled to vote in such primary or regular election upon complying with the following conditions, and registering his intention to become a resident of the State or County, as the case may be, in the following manner:

(a) If the person offering to vote in such primary or regular election had theretofore been a resident of some other state, such person shall have filed with the County Court Clerk of the County in which the election is held, one year before the day of such election, a written, signed and dated statement to the effect that such person, at the time of the making of such statement, in good faith intended then to be and become a resident of the Commonwealth.

(b) If such person offering to vote in such primary or regular election had theretofore been a resident of this State, but a non-resident of the county in which such person offers

to vote, shall have filed with the County Court Clerk of the county in which such election is held, six months before the day of said primary or general election a written, signed and dated statement to the effect that such person at the time of the making of such statement in good faith intended then to be and become a resident of such county.

§ 2. The County Court Clerk with whom such statement is filed, shall lodge and safely keep such statements, and shall list them alphabetically in a book to be kept for that purpose, and shall give each statement a serial number, which number shall be noted on the alphabetical list, and which list together with the statements shall constitute a public record. When a clerk furnishes the ballots and other voting paraphernalia to the election officers he shall also furnish a copy of the list to the officers of election in each precinct of the county.

§ 3. Any person not a resident of the State, or of the county in which such college or university is located, and who has come into the State or such county for the purpose of attending such college or university, and who shall vote in any primary or general election without having first complied with the foregoing Section 1 of this Act, shall be deemed to be guilty of a misdemeanor, and punished on conviction by a fine of not less than fifty nor more than two hundred dollars, or imprisoned in jail for not less than ten nor more than sixty days, or both so fined and imprisoned within the limits fixed herein, and any clerk failing to comply with the duties herein imposed shall, upon conviction, be punished in like manner.

§ 4. For filing and recording each statement required hereunder, the County Court Clerk shall be paid ten cents (10c); and for each name furnished to the officers of election in each precinct he shall be allowed one cent (1c). This cost to be paid as other election and registration expenses are now paid.

§ 5. The provision of this law shall not apply to persons offering to vote in elections held in cities where registration of voters is required.

Senator Gates F. Young moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	C.T.McCormick,Sr.	O. M. Rogers
H. M. Brock	Wm. Mehler	J. M. Rose
Edwin C. Dawson	E. C. Moore	R. H. Royster
J. S. W. Holloway	Ray B. Moss	Thos. O. Turner
Robert Humphreys	D. C. Naive	Sewell B. Williams
Silas Jacobs	Marion F. Pogue	W. A. Yates
L. C. Littrell	Dr. G. W. Ragan	Gates F. Young
Frank I. Lloyd		—22

Those who voted in the negative were:

Walter N. Flippin F. M. White —2

Resolved that the title thereof be as aforesaid.

Senator Gates F. Young moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up House Bill No. 9, a special order for this house, of the following title:

H. B. No. 9. An Act amending and re-enacting Section Fourteen of Chapter Nineteen of the Acts of 1916, being an act entitled: An Act for further regulation of fire insurance companies, agents, rates, fire prevention, etc., providing for the statement with application for license for agent, defining and enlarging powers and duties of the Insurance Commissioner in relation thereto, and repealing all laws in conflict herewith; approved March the fifteenth, nineteen hundred and sixteen; which is now Section seven hundred and sixty-two-a-fourteen Carroll's Kentucky Statutes.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section fourteen of Chapter nineteen of the Acts of Nineteen Hundred and Sixteen, approved March the fifteenth, nineteen hundred and sixteen, which said section is now section seven hundred and sixty-two-a-fourteen, Carroll's nineteen hundred and twenty-two Kentucky Statutes, be and the same is hereby amended and re-enacted so that when amended and re-enacted said section will read as follows:

§ 1. An insurance agent is hereby defined to be an individual, copartnership or corporation duly authorized in writing by any insurer lawfully qualified to transact the business of fire insurance in this State, to solicit, negotiate or effect contracts of insurance. If a copartnership or corporation is an insurance agent, as above defined, the members of such copartnership and all officers and stockholders of such corporation who actually solicit, negotiate or effect contracts of insurance shall be required to qualify as agents under this act in lieu of the copartnership or corporation. Any person authorized by any of the above mentioned agents, corporations, copartnerships or individuals to solicit fire insurance shall

also be required to qualify as agent under this act. This Act shall not apply to any executive officer or traveling salaried employee of any insurer subject to this Act.

§ 2. Any person desiring as agent, as above defined, to engage in the fire insurance business, as herein set out, shall first apply to the Insurance Commissioner of this State in the manner hereinafter prescribed, for an insurance agent's license, authorizing such agent to engage in and transact such business. The applicant for such license shall file with the Insurance Commissioner his or her written application for a license authorizing him or her to engage in the fire insurance business, and shall further file a statement signed by an official or representative of any insurer lawfully authorized to transact business in this State, which said statement shall contain answers to such interrogatories as the Insurance Commissioner may require, on uniform forms and supplements prepared by him, which shall set forth:

(a) That the applicant is personally known to him;

(b) That the applicant has had experience or instruction in the fire insurance business, or will be given competent instruction therein;

(c) That the applicant is of good business reputation and is worthy of a license, that he will not rebate any part of the premium or commission or offer any valuable consideration as an inducement to take insurance other than that clearly expressed in the policy, and if he signs policies, that he will maintain an office within this Commonwealth and keep therein at all times a complete, permanent record of all applications for and policies of insurance placed by or through him, and will not sign any policies in blank to be issued outside of his office, and that he is a bona fide resident of this Commonwealth.

The applicant shall further file his affidavit that he will not rebate any part of the premium or commission or offer

any valuable consideration as an inducement to take insurance other than that clearly expressed in the policy, and if he signs policies, that he will maintain an office within this Commonwealth and keep therein at all times a complete, permanent record of all applications for and policies of insurance placed by or through him, and will not sign any policies in blank to be issued outside of his office, and that he is a bona fide resident of this Commonwealth.

§ 3. Each such first-time applicant for license before being permitted to take the examination herein provided for shall deposit with the Insurance Commissioner, or his proper deputy, an examination fee of $5.00, the fees thus collected to be used exclusively to defray the actual cost of the examinations herein provided for.

§ 4. It shall be the duty of the Insurance Commissioner or his deputy to subject each first-time applicant for license to examination as to his or her qualifications to act as such agent. Such examinations shall be reasonable, shall be in writing and shall cover the following subjects: The contents and interpretation of the fire insurance policy contracts in use in Kentucky; the rights and duties of an agent as they affect the insurance companies he represents and the public. The answers of the applicants to the questions propounded to them shall be graded by the Insurance Commissioner, and no such applicant shall be granted license unless he or she obtains seventy-five per cent as a general average. If the Insurance Commissioner shall be satisfied from said examination and from the other evidence before him that the applicant is of good business reputation and a proper person to be licensed, and that the granting of a license to such applicant will not be injurious to the public interest, the Insurance Commissioner shall issue to the applicant an insurance agent's license to transact business in this State on the behalf of any insurer certifying the applicant's name. Such examinations shall be held once each month at such times and places as shall be designated by the Insurance Commissioner, due announcement thereof to be made by him; and the places for such examination shall be chosen from time to time so as to be as

convenient as practicable to the homes or places of business of the applicants. In case for any reason it shall be difficult or impossible for an insurance company to procure an agent who is properly qualified as hereinabove provided, a temporary license may be issued to act as insurance agent to one who complies with the provisions of Section 2 hereof, such license to be valid for such period of time as the Insurance Commissioner shall determine, but in no event to be valid beyond the time for grading and certifying the grades of the examination questions of the next examination held at a place convenient to the home or the place of business of said applicant. In case the holder of such temporary license shall pass said examination and comply with all the other requirements of this act, he shall thereupon be granted the regular insurance agent's license herein provided.

A first-time applicant shall be construed to mean a person to whom no license to act as a fire insurance agent under the laws of the State of Kentucky has theretofore been issued.

§ 5. The Insurance Commissioner, after twenty days' notice of his intention so to do, given in writing to the agent and the company, or companies, represented by him or her, shall have the right to revoke or suspend for a definite period of time any license in the event that investigation by him discloses that the holder of such license has committed any of the following acts or ommissions:

(a) Violation of any provision of law relating to the conduct of his business;

(b) Willful making of a material misrepresentation in the application for the license;

(c) Fraud of any sort practiced in the securing of the license;

(d) Commission of a fraudulent practice, or fraudulent practices, in conduct of the agent's business;

(e) Demonstrated incompetency or untrustworthiness on the part of said agent;

(g) Any act or practice in connection with his duties as such agent which indicate unfitness to act as such agent.

Within thirty days after the revocation or suspension of a license, or after the refusal of a license, the person aggrieved shall have the right to petition the Circuit Court of Franklin County to require the re-instatement or issuance of said license. Within thirty days after the granting of a license, or the refusal by the Insurance Commissioner to revoke or suspend a license, any person aggrieved thereby shall have the right to petition the Circuit Court of Franklin County to revoke, suspend or refuse to grant such license; and for the purpose of taking such action persons aggrieved shall include insurance companies injured, or competitors injured or threatened with injury by any of the illegal or improper conditions or practices denounced herein. Any issue tried before the Franklin Circuit Court under this section of the act shall be tried de novo in this court.

§ 6. In case any word, clause, sentence or section of this act shall be held unconstitutional, such unconstitutionality shall not invalidate the remainder of this act; it being the legislative intention to pass the remainder of such act regardless of such partial invalidity.

§ 7. None of the provisions of this act shall apply to Cooperative Companies or Assessment Companies, or Mutual Companies or Reciprocal or Inter-insurance Exchanges, their attorneys-in-fact, or agents, or other representatives.

§ 8. All laws or parts of laws in conflict herewith are hereby repealed.

Senator Yates proposed the following amendment to said bill.:

1. Amend House Bill No. 9 in the Senate, by adding in

Section five thereof, after the words "period of time" in line 3 page 4 of the printed bill the words, "not to exceed ninety days."

Senator Yates moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Ferguson proposed the following amendment to said bill:

2. Amend House Bill No. 9 in the Senate by adding the word "county" on page 5 line 21 of the printed bill the words "or the Circuit Court in the County in which the person aggrieved resides."

Senator Gates F. Young proposed the following amendment to amendment No. 2.

Amend amendment No. 2 to House Bill No. 9 on page 5 line 25 of the printed bill the following words: "or the Circuit Court in the County in which the person aggrieved resides," and strike out of line 30 the word "Franklin."

Senator Gates F. Young moved the adoption of said amendment to the amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment to the amendment was adopted.

Senator Ferguson moved the adoption of the amendment as amended.

The question being taken thereon, was decided in the affirmative and

Said amendment as amended was adopted.

Senator Rose proposed the following amendment to said bill:

Amend House Bill No. 9 by adding to Section 7 at end of line 2 these words: "The provisions of this Act shall not apply to any person now holding a license as a fire insurance agent in this Commonwealth."

Senator Rose moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Allie W. Young proposed the following amendment to said bill:

Amend H. B. No. 9 by inserting after "court" in line 31 the following: "This bill shall not apply to any person who has been engaged in writing insurance for over five years."

Senator Allie W. Young moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Yates moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	Marion F. Pogue
W. W. Booles	Wm. Isaacs	Dr. G. W. Ragan
H. M. Brock	Alex E. Johnson	O. M. Rogers
Edwin C. Dawson	L. C. Littrell	R. H. Royster
Dr. T. J. Edge	Frank I. Lloyd	E. D. Stephenson
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Walter N. Flippin	Wm. Mehler	W. A. Yates
Chas. G. Franklin	E. C. Moore	Allie W. Young
J. S. W. Holloway	Ray B. Moss	Gates F. Young

—27

Those who voted in the negative were:

D. C. Naive	Joe Stewart	F. M. White
J. M. Rose	Fred C. VanHoose	Sewell B. Williams

—6

Senator Yates proposed the following amendment to the title of said bill:

Amend House Bill No. 9 in the Senate by striking therefrom the title, and in lieu thereof inserting the following title: An Act amending and re-enacting Section fourteen of Chapter nineteen of the Acts of 1916, being an act in regard to the regulation of fire insurance companies, the licensing of agents, the regulation of fire prevention and other matters connected therewith; said act having been approved March 15, 1916, and said section being now Section seven hundred and sixty-two-a-fourteen of the 1930 Edition of Carroll's Kentucky Statutes; and providing in this amendment and re-enactment for the examination and licensing of fire insurance agents, as

herein defined, and the suspension and revocation of the licenses of agents, and further increasing and enlarging the powers and duties of the insurance commissioner in relation thereto, and repealing all laws in conflict herewith.

Senator Yates moved that said amendment to the title be adopted.

The question being taken thereon, it was decided in the affirmative.

Said title was amended.

Resolved that the title thereof be as amended.

Senator Yates moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 3. An Act to amend and re-enact Section 199A of Carroll's (1930) Kentucky Statutes and being Chapter 143 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1906 Session thereof, and entitled, "An Act to regulate Burial Associations, corporations and companies doing business in the State of Kentucky," as amended by "Chapter 72 of the 1908 Acts of the General Assembly of the Commonwealth of Kentucky," entitled, "An Act to amend Section 2 of an Act entitled, 'An Act to regulate Burial Associations, corporations and companies doing business in the State of Kentucky,' " which Act became a law, March 24, 1906, without the approval of the Governor.

Senator Littrell moved that said bill be recommitted to the Committee on Insurance.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 260. An Act repealing and re-enacting 4130, 4135, 4143, 4147 and 4148 of Carroll's Kentucky Statutes, 1930 Edition, which sections relate to revenue and taxation, and repealing all acts, parts of acts, and laws in conflict with this act.

Senator Ferguson moved that said bill be made a special order for February 9th, 1932 at 1:30 P. M.

Said motion was agreed to .

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 30. An Act to repeal and re-enact Section No. 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

Senator Stewart moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 145. An Act to amend, An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and further providing for definition of terms used, enforcement of and penalty for violation of this Act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 57. An Act to repeal and re-enact Section 2290-B Carroll's Kentucky Statute, addition the same being Chapter 123 of the Acts of the General Assembly of 1910, providing that eight (8) shall constitute a day for laborers and mechanics employed on all public works in this Commonwealth. And providing for the enforcement of and penalties for violation thereof.

Senator Rose moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 107; An Act relating to jailers and providing for the consolidation of the office of jailer with that of the sheriff, providing that the duties of the jailers in each county of the Commonwealth of Kentucky shall be performed by the Sheriff of the county, and providing for compensation for the sheriff for performing his duties as jailer of each county of the Commonwealth of Kentucky, and providing for the dieting of

prisoners confined in the county jail in each county of the Commonwealth of Kentucky; and repealing Section 1730, Section 2231 and Section 2232, Carroll's Kentucky Statutes, 1930 Edition.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 170. An Act defining school districts; setting out powers and duties of boards of education therein; indicating procedure relating to the organization, control and operation of the common schools therein; providing for the general welfare of the public schools of the Commonwealth; providing for a uniform census every three years; exempting school pupils from toll on roads, bridges and ferries; repealing various scattering provisions of old law relating to division boards of education and other provisions covered by this Act or not consistent with it.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 305. An Act to fix and regulate jury fees where two or more cases are consolidated and tried together.

Senator Allie W. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 209. An Act to amend and re-enact Section 3024-a-4 of Carroll's Kentucky Statutes, 1930 Edition, which is Section 4 of Chapter 16 of the Acts of the General Assembly of 1906, pertaining to the controlling, management and operation of Water Works in cities of the first class.

Senator Yates moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 243. An Act amending Section 4706, Kentucky Statutes, Carroll's 1930 Edition.

Senator Franklin moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 275. An Act repealing Section 2739f-4, Kentucky Statutes, Carroll's 1930 Edition, including all and singular sub-sections thereof, being all of Chapter 26 of the Acts of the General Assembly of 1922; and enacting in lieu thereof an act creating a commission of five members to be known as "My Old Kentucky Home Commission," fixing the qualifications and terms of office of the members of said Commission, and prescribing the powers and duties of said Commission; and declaring an emergency to exist.

Senator Dawson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 130. An Act amending Section 4114i-1, Kentucky Statutes, Carroll's 1930 Edition.

Senator Yates moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 255. An Act to regulate traffic over and upon bridges and ferries now or hereafter owned or operated by the Commonwealth of Kentucky through its agent, the State Highway Commission of Kentucky, making it unlawful for any person to injure, deface or damage any bridge or ferry, or any part thereof, so owned and operated; making it unlawful for any person, except those specifically exempted by this Act, to pass over or upon any bridge or ferry so owned or operated with the powers of peace officers; vesting in the State Highway Commission of Kentucky power to make rules and regulations for the enforcement of this Act, and, also, prescribing penalties for the commission of offenses defined in this Act.

Senator Gaines moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 151. An Act relating to the safe development and operation of minerals; providing regulations for the location

of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells; defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 181. An Act to establish as a part of the Primary system of the Highways of the Commonwealth of Kentucky, a road beginning at Haywood, Barren County, Kentucky by the way of Rocky Hill and Finney, Barren County, Kentucky to Berry's Store, Warren County Kentucky, thence to Hydro, Warren County, Kentucky, connecting with road project No. 80 in Warren County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at Haywood, Barren County, Kentucky, by the way of Rocky Hill and Finney, Barren County, Kentucky, to Berry's Store, Warren County, Kentucky, thence to Hydro, Warren County, Kentucky, connecting with road project number 80 in Warren County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and

provisions set out and provided for in Chapter 17 in the Acts of the General Assembly 1920 as amended.:

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the day a bill entitled:

S. B. 197. An Act to establish as a part of the primary system of State highways a road from near Mouth of Abner

Fork of Beaver Creek, to upper end of town of Weeksberry, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road beginning on the Haymond Highway near the mouth of Abner Fork of Left Beaver Creek, Floyd County, and thence running up the said Beaver Creek to the upper end of the town of Weeksberry.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

§ 3. All acts and parts of acts in conflict herewith are hereby repealed.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 204. An Act establishing as a part of the primary system of State highways a road leading from Haddix, Breathitt County, to Chavies, Perry County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from Haddix in Breathitt county, Kentucky, via Copeland, Whick, Wolf Coal, Altro to Chavies in Perry county, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of chapter 17 of the Acts of the General Assembly, 1920, establishing and creating a primary system of State highways to the same effect as if said road had been named in the original act as one of the projects on the primary system of State highways as provided therein.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the orders of the Day a bill entitled:

S. B. 205. An Act establishing as part of primary system of State highways a road leading from Blanton Bridge on Route 15 in Breathitt County via Taulbee Post Office to Lee City in Wolfe County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways in the Commonwealth of Kentucky, a road leading from the Ky.-Va. Highway, route 15, at Blanton Bridge in Breathitt county, Kentucky, via Taulbee Post Office, up Rock Lick Creek, down Trent Creek to Lee City, in Wolfe county, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by provisions of chapter seventeen of the Acts of the General Assembly, 1929, establishing and creating a primary system of State highways, which shall have the same effect as if said road had been named in the original act as one of the projects on the primary system of State highways as provided therein.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Dr. T. J. Edge
W. W. Booles	Edwin C. Dawson	Thos. C. Ferguson

Walter N. Flippin	Wm. Mehler	E. D. Stephenson
Chas. G. Franklin	Ray B. Moss	Thos. O. Turner
J. S. W. Holloway	D. C. Naive	Fred C. VanHoose
Robert Humphreys	Marion F. Pogue	F. M. White
Wm. Isaacs	Dr. G. W. Ragan	Sewell B. Williams
Silas Jacobs	O. M. Rogers	W. A. Yates
L. C. Littrell	J. M. Rose	Gates F. Young
C.T.McCormick,Sr.		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 206. An Act establishing as part of primary system of State highways a road leading from Mouth of Quicksand Creek at intersection of highway Route 15, up Quicksand Creek, South Quicksand Creek intersecting Quicksand-Hindman Road.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from a point at the mouth of Quicksand Creek at intersection of Route 15, running up Quicksand Creek to the mouth of South Quicksand and up South Quicksand Creek to the head of said creek, and on to main Quicksand Creek, intersecting the Quicksand-Hindman road.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the tile thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 207. An Act establishing as part of Primary system of State highways a road leading from Mouth of Meat Scaffold Creek via Stevenson, Keck, and intersecting Highway 15 at Mouth of Cope Fork of Frozen Creek.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State Highways of the Commonwealth of Kentucky, a road leading from the mouth of Meat Scaffold Creek, a point on the Jackson-Salyersville road, up said creek via Stevenson Post Office, A. B. Hatton's store, Keck Post office, to the mouth of Cope Fork of Frozen Creek and intersecting Route 15.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways, as provided therein.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Dr. T. J. Edge
W. W. Booles	Edwin C. Dawson	Thos. C. Ferguson

Walter N. Flippin	Wm. Mehler	E. D. Stephenson
Chas. G. Franklin	Ray B. Moss	Thos. O. Turner
J. S. W. Holloway	D. C. Naive	Fred C. VanHoose
Robert Humphreys	Marion F. Pogue	F. M. White
Wm. Isaacs	Dr. G. W. Ragan	Sewell B. Williams
Silas Jacobs	O. M. Rogers	W. A. Yates
L. C. Littrell	J. M. Rose	Gates F. Young
C.T.McCormick,Sr.		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 208. An act establishing as part of primary system State highways a road leading from Wrigley, Kentucky via Flatwoods, to Cannel City-Hazel Green Road.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from Wrigley, Morgan County, Kentucky, via Flat Woods, Grassy Creek, Sellars, to and intersecting with the Hazel Green-Cannel City road in Wolfe County, Kentucky, near Helechawa.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

Senator Dawson moved that the third reading of said bill

at length be dispensed with and that it be read by its title only only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 225. An Act to amend and re-enact Chapter 269, page 580, of the Acts of the General Assembly of 1924, which is Project No. 126, of Section 4356t-5, of Baldwin's Kentucky Statute Service of Carroll's Kentucky Statutes, relating to roads and bridges and establishing a system of primary roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of same.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 269 of the Acts of the General Assembly of 1924, which is Project No. 126, of 4356t-5, of Baldwin's Kentucky Statute Service of Carroll's Kentucky Statutes, relating to roads and bridges and establishing a system of primary roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of same, be amended, and when amended and re-enacted said Project No. 126 will read as follows:

Project No. 126. From Carlisle to Flemingsburg, by way of Myer's Station; thence by way of Pleasant Valley; thence by way of Cowan; thence by way of Elizaville to Flemingsburg; thence from Carlisle by way of the Miller's Station Turnpike near the residence of Forrest Dalzell to an intersection with U. S. Highway No. 68 near the residence of Oscar Johnson on said Highway, the distance of said Project being about three miles.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitution provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 227. An Act to establish a primary road project to be known as project No. —, to begin at Piqua in Robertson County, and extend to U. S. Highway No. 68, near its junction with State No. 61 in Nicholas County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a road leading from Piqua in Robertson county, at said place connecting with State Project No. 48, crossing Licking River at Day's Ferry, via Crayton, Rose Hill, Barterville, and connecting with U. S. Highway No. 68, near its junction with State Project No. 61, in Nicholas County, be and the same is hereby established and designated as a part of the primary system of State Highways of the Commonwealth of Kentucky, to be known as State Primary Road Project No. —.

Senator Dawson moved that the third reading of said bill

at length be dispensed with and that it be read by its title only and placed upon is passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 230. An act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State highway primary system of highways in this Commonwealth the following route, to-wit:

From the City of Flemingsburg, Fleming county, at the Christian church on State highway No. 11 and following as near as practicable the old Fox Springs turnpike, via Wallingford; thence by Browning's orchard near Park Lake to the Lewis county line at the head waters of Kinniconnick creek to Petersville, Lewis county, connecting with the State highway survey to the City of Vanceburg, Kentucky.

The route so established to be designated as project No. — and to be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relations to the primary system of State highways.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Dr. T. J. Edge
W. W. Booles	Edwin C. Dawson	Thos. C. Ferguson

Walter N. Flippin	Wm. Mehler	E. D. Stephenson
Chas. G. Franklin	Ray B. Moss	Thos. O. Turner
J. S. W. Holloway	D. C. Naive	Fred C. VanHoose
Robert Humphreys	Marion F. Pogue	F. M. White
Wm. Isaacs	Dr. G. W. Ragan	Sewell B. Williams
Silas Jacobs	O. M. Rogers	W. A. Yates
L. C. Littrell	J. M. Rose	Gates F. Young
C.T.McCormick,Sr.		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 229. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State highway primary system of highways in this Commonwealth the following route, to-wit:

Beginning at the Flemingsburg and Morehead State highway near Plummers Landing; thence through Plummers Landing, via Muses Mills, continuing up East fork of Fox creek to the mouth of Sugar Tree Run; thence up said branch to the Lewis County line at the head of Sergeant branch to the waters of Kinniconnick; thence with said creek to Petersville, Lewis county, Kentucky.

This route when established to be designated as project No. — and to be entitled to and receive all the benefits relating to the primary system.

Senator Dawson moved that the third reading of said bill

at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	Marion F. Pogue	Sewell B. Williams
Chas. G. Franklin	D. C. Naive	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 231. An Act to establish as a part of the primary system of State Highways a road from the Sandy Hook and Louisa road near the J. L. Hulett farm in Lawrence County to the Mayo Trail on George's Creek.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following: A road beginning on the Sandy Hook and Louisa road near J. L. Hulett's farm in Lawrence county, thence up Brushy Creek to near Wilbur Post Office, thence to the head of the right fork of Little Blaine, thence to Charley, Kentucky, thence down George's Creek to intersect the Mayo Trail.

Said project thus established as a part of the primary roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any Act or law to the primary roads of this Commonwealth.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Dr. T. J. Edge	J. S. W. Holloway
W. W. Booles	Thos. C. Ferguson	Robert Humphreys
H. M. Brock	Walter N. Flippin	Wm. Isaacs
Edwin C. Dawson	Chas. G. Franklin	Silas Jacobs

L. C. Littrell	Dr. G. W. Ragan	Fred C. VanHoose
C.T.McCormick,Sr.	O. M. Rogers	F. M. White
Wm. Mehler	J. M. Rose	Sewell B. Williams
Ray B. Moss	E. D. Stephenson	W. A. Yates
D. C. Naive	Thos. O. Turner	Gates F. Young
Marion F. Pogue		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 232. An Act to be placed on the State primary system of roads and highways a road from Livingston the nearest, and most practical Route, to the Devoult School House on Skaggs Creek in Rockcastle County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be placed on the State road primary system a road from Livingston the nearest, and most practical route, to the Devoult School House on Skaggs Creek in Rockcastle county.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 233. An Act to add to the State primary system of roads a road from Highway No. 168 near James Bullock residence at Maretsburg to Bromo Post Office by J. D. Noe farm in Rockcastle County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the State primary road system a road from Highway No. 168 near James Bullock's residence at Maretburg to Bromo Post Office by J. D. Noe farm in Rockcastle county.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 234. An Act to be placed on the State road primary system a road from Biever-Bend Filling Station to Red-Hill School House in Rockcastle County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be placed on the State road primary system a

road from Biever-bend Filling Station to Red-Hill School House in Rockcastle county.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 235. An Act establishing a road project from corporation limits of Scottsville, Kentucky, along present trav-

eled road by Gainsville, Meador, across Osborne Ford on Barren River, by Kepler, Warren County, intersecting the Bowling Green and Glasgow Road at Kirby Farm.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State Highways of the Commonwealth of Kentucky, the following route: Beginning at the end of North Court Street at the north corporate limits of Scottsville, Kentucky; thence with the present travelled road from said point to Gainsville, Kentucky, in Allen County; thence with the present travelled road from Gainsville, Kentucky, to Meador, Kentucky; thence to the Osborne Ford or ferry, on Barren river, crossing Barren River to intersect with a road leading by Three Forks School House; thence by Kepler, in Warren county, Kentucky, to where it intersects the Bowling Green and Glasgow Road, at Kirby Farm. Said road project to be known as the Scottsville-Mammoth Cave Highway.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to and under the provisions and controlled by the Act of the General Assembly as amended relating to roads and highways of the Acts of 1920, being chapter 17 of said Acts.

Senator Dawson moved that the third reading of said bill at length be dispensed with and it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provisions to the third reading of said

bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 237. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State highway primary system of highways in this Commonwealth the following route, to-wit:

Highway leading from Hillsboro to the intersection of the Flemingsburg and Morehead highway one mile southeast of

Fleming and Rowan county line; via: Ringos Mills, in Fleming county and Sharkey, in Rowan county.

This route when established to be designated as project No. — and to be entitled to and to receive all the benefits with relations to the primary system under the laws of Kentucky.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 238. An Act to establish as part of the Primary System of State Highways of the Commonwealth of Kentucky, a road from London in Laurel County to McKee in Jackson County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road running from London in Laurel county, leaving the Dixie highway at East Bernstadt; thence following approximately the right of way of the Bond railroad by the way of Viva, Bowling, to Bond, Kentucky; thence to McKee in Jackson county.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out as provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Dr. G. W. Ragan	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 239. An Act to add to the primary system of roads a road from Manchester Pike near Johnston School House to Burning Springs, by Langnau Post Office, and Crawford Post Office, in Laurel County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the primary road system a road from the Manchester pike near Johnston School House to Burning Springs by Langnau Post Office, and Crawford Post Office in Laurel county.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C. T. McCormick, Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 240. An Act to add to the primary system of roads a road from Nelson's Store to Green Mount Post Office in Laurel County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the primary road system a road from Nelson's store to Green Mount Post Office in Laurel county.

Senator Dawson moved that the third reading of said bill

at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 247. An Act establishing as a part of the primary system of State roads and highways, a road leading from G. D. James' Store in Edmonson County, via Houchin's Ferry and Ollie to Mammoth Cave.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Roads and Highways, a road leading from G. D. James' Store in Edmonson County, via Houchin's Ferry and Ollie to Mammoth Cave.

§ 2. The said road to have and receive all the benefits of the State Primary Road System under Chapter 17 of the Acts of 1920.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 250. An Act establishing as a part of the primary system of State Highways of the Commonwealth of Kentucky a road leading from Rocky Hill, in Edmonson County, to Merry Oaks, in Barren County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road leading from Rocky Hill, in Edmonson County, to Merry Oaks, in Barren County.

§ 2. The maintenance, construction, supervision, and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, as amended, establishing and creating the primary system of roads and highways of this Commonwealth, to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

§ 3. Said road shall be known and designated as Project No. —.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 251. An Act to add to the State primary system of highways a road from Marion, Crittenden County, via Chapel Hill and View Vicinity to Francis, Crittenden County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the State primary road system a road leading from Marion, via Chapel Hill and View Vicinity to Francis, Crittenden County; said project to be designated as State Highway Project No. —.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 259. An Act establishing as a part of the primary system of State Highways of the Commonwealth of Kentucky a road beginning near Chalybeate and running thence via Chalybeate High School, Pine Grove Presbyterian Church, and Boiling Springs to a point on the Dixie Highway.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created and established as a part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at a point in the Chalybeate Spring "Cut Off" highway near Chalybeate, Kentucky, where county road intersects same, thence via Chalybeate High School to Pine Grove Presbyterian Church, thence via Boiling Spring to a point on the Dixie Highway.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, as amended, establishing and creating the primary system of roads and highways of this Commonwealth, to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

§ 3. Said road shall be known and designated as Project No. —.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 262. An Act to add to the primary system of roads in Rockcastle County from the entrance of the Dughill road into highway No. 138 to Bishop's store.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the primary road system in Rockcastle County a road from the entrance of the Dughill road into highway No. 138 by the French farm, thence with Negro Creek Road to Bishop's store.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 263. An Act creating and establishing as part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Tompkinsville, Monroe County, Kentucky and leading to the Old Mulkey Meeting House State Park.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby created and established as a part of

the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Tompkinsville, Monroe County, Kentucky, and leading to the Old Mulkey Meeting House State Park.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary system of roads and highways in this Commonwealth.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 267. An Act to establish as a part of the primary system of State highways a road beginning at the Glencoe, Kentucky bridge on the Owen County side, thence to old Sparta in Owen County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at the Glencoe, Kentucky bridge on the Owen county side, and running to Old Sparta in Owen county, Kentucky.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to and controlled by the provisions of chapter 17 of the Acts of the General Assembly as amended, to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 280. An Act to establish a State primary road project from River Post office in Johnson County down the Big Sandy river by way of Richardson, Kentucky to the mouth of George's Creek intersecting with the Mayo Trail.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is hereby established as a part of the primary road system of the Commonwealth of Kentucky a road leading from River Post Office in Johnson County and running down the Big Sandy River on the west side, by way

of Richardson to the mouth of George's Creek intersecting with the Mayo Trail.

The route thus established is to be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 282. An Act to establish as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road from Catlettsburg, Kentucky, up Tug River to the State line between Kentucky and Virginia, and to be designated and known as the "Wallace J. Williamson Highway."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning on U. S. Route No. 60, in Catlettsburg, Kentucky, and thence running up Tug River, via Louisa, Kentucky, the Mouth of Big Creek, in Pike County, South Williamson, Kentucky, the mouth of Blackberry Creek, in Pike County, the mouth of Peter Creek, in Pike County, the mouth of Popular Creek, in Pike County, and thence to the State Line between Kentucky and Virginia, to be known and designated as the "Wallace J. Williamson Highway."

Suitable markers shall be erected and maintained by the State Highway Commission on this highway in the city of Catlettsburg, Kentucky, South Williamson, Kentucky, and at the State line between Kentucky and Virginia.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, as amended, establishing and creating a primary road system to the same effect as if said road had been named in said original act as one of the projects of the primary system of State highways.

§ 3. All acts and parts of acts in conflict herewith are hereby repealed.

Senator Dawson moved that the third reading of said bill

at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 285. An Act establishing as part of the primary system of State highways of the Commonwealth of Kentucky, a road from a point on the Pikeville-Williamson Highway, State Route 82, near the mouth of Blackberry Fork of Pond Creek in Pike County, to a point on the State line between Kentucky and Virginia on Knox Creek in said county.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary road system of State Highways of the Commonwealth of Kentucky, a road beginning at a point on Kentucky Route 82, at the mouth of Blackberry Fork of Pond Creek in Pike County; thence up Blackberry Fork of Pond Creek across the mountain to Blackberry Creek; thence running up Blackberry Creek to the forks of said creek; thence up the left hand fork to the mouth of Sang Camp Branch; thence across the mountain to Calloway Creek and down Calloway Creek to the Road Fork of Peter Creek; thence down the Road Fork of Peter Creek to the forks of said creek; thence up Peter Creek to the Joe Preece Branch; thence up Joe Preece Branch crossing the mountain and down Turkey Creek to Knox Creek; thence up Knox Creek to the Virginia State line.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 286. An Act establishing as part of the primary system of State highways a road beginning at a point on State project No. — at the mouth of Turkey Creek in Pike County to a point on State Project 82 at or near the bridge at the mouth of road fork of Big Creek.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary road system of State Highways of the Commonwealth of Kentucky, a road from a point on State Project No — at the mouth of Turkey creek just below South Williamson in Pike County; thence up Turkey creek to and through the Turkey Gap and around the head of Long Branch of Big creek through the Sucky Gap; thence the most practical route to State Project 82 at or near the mouth of Road Fork of Big Creek.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly 1930 establishing and creating a primary system of State Highways.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. No. 288. An Act relating to Roads and Highways and establishing and creating a road project No. — extending from Lawton in Carter County to U. S. Road No. 60 at Hayes Crossing in Rowan County, as a State Primary road.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is established and created a Road Project No. "60½A" extending from Lawton in Carter County on the best and most direct route via Haldeman in Rowan Connty and connecting with U. S. Road No. 60 at Hayes Crossing in Rowan County.

§ 2. That said project thus established shall be a part of the primary road system of this Commonwealth and be entitled to all the benefits and subject to all laws now in existence or to be hereafter enacted in relation to the same.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	C.T.McCormick,Sr.	Thos. O. Turner
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Chas. G. Franklin	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys		—28

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of Three Hundred Dollars ($300) or less, secured or unsecured, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest, discount, consideration, or charge than six per centum (6%) per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of Three Hundred Dollars ($300) or less, providing for the administration of this Act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and findings of the Banking Commissioner under this Act, and repealing so much of Section 4224A, Carroll's Kentucky Statutes (1930) as applies to persons licensed under this Act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes (1930), and repealing all Acts and parts of acts in conflict with the provisions of this Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 172. An Act defining plumbing, master plumber and journeyman plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to journeyman plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky; and also granting to the State Board of Health of Kentucky the power to adopt and promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating the kind of materials and fixtures including supply pipes, waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this Act and providing penalties for violation of the provisions of this Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 112. An Act relating to juries and amending and re-enacting sections 2249, 2251 and 2260, Carroll's Kentucky Statutes, 1930, edition.

Senator Franklin moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 221. An Act to appropriate $12,500.00 for repairs of the Executive Mansion.

Senator Turner moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 265. An Act to regulate the distribution and sale, the selling or exposing for sale, or agricultural seed; defining same, providing for inspection thereof and fixing penalties for violation of this Act; naming the enforcing agent, prescribing his duties and empowering him to make rules and regulations necessary to carry out the intent and meaning of this Act; to provide means for carrying out its provisions; and to repeal all laws or parts of laws in conflict with this Act.

Senator Gaines moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 33. An Act to amend and re-enact Section 965-35, Kentucky Statutes 1930, Carroll's Edition as amended by Chapter 29, 1930, Acts of the General Assembly of the Commonwealth of Kentucky, relating to circuits and fixing the time for holding court in the 35th Judicial District of the Commonwealth of Kentucky, composed of Pike and Letcher Counties, and declaring an emergency.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 45. An Act to repeal Chapter 29 of the Acts of the General Assembly of 1930 relating to the establishment of a Judicial Council of the Commonwealth of Kentucky and providing for its duties and expense.

Senator Van Hoose moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 154. An Act authorizing cities of the fourth and fifth classes to provide insurance or maintenance for arresting officers, who may sustain injury, in discharge of official duty, which incapacitates such officer; and, support for widows and orphans of such officers who lose their lives in discharge of official duty, and provide funds and taxes therefor, and procedure for securing same and determining amounts to be paid; and for trials, and appeals concerning same.

Senator Moss moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 79. An Act to repeal and re-enact Sections 216a-1; 216a-7; 216aa-8; 216aa-16; 216aa-25; 216aa-27; 216aa-28; and to repeal Sections 216aa-4; 216aa-5; 216aa-6; of Carroll's Kentucky Statutes, (Baldwin's Revision of 1930), relating to the State Board of Charities and Corrections, its management and supervision of the benevolent, charitable, eleemosynary,

correctional and penal institutions of this State; declaring an emergency, and repealing all laws, or parts of law, in conflict herewith to the extent of such conflict.

Senator Allie W. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 144. An Act providing for the creation of an educational commission, prescribing its powers and duties and the duties of persons in connection with it, and fixing penalties for failure to perform same, and declaring an emergency.

Senator Allie W. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 191. An Act prescribing the purpose, duties and authority of the Department of Labor.

Senator McCaw moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled.

S. B. 192. An Act to establish an employment service; providing for cooperative agreement with county, municipal, school and Federal government agencies; prescribing the

duties and authority of the chief officer of the Department of Labor to carry out the objects of this Act.

Senator McCaw moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 213. An Act to promote safety in places of employment, elevators, boilers and pressure vessels, creating a Kentucky Industrial Safety Board in the Department of Labor, providing for the appointment and qualifications of members thereof, and defining its powers and duties; providing that the chief officer of the Department of Labor shall be the secretary and administrative officer of said Board, prescribing the duties of said secretary, and providing that he shall perform said duties without additional compensation; authorizing the employment of necessary employees; and making an appropriation for the administration of this Act; and providing penalties for the violation thereof; and providing the payment of certain fees for inspection of boilers, and for enforcing payment thereof by actions in the Franklin Circuit Court, and further providing for variations in and for review of the rules and orders of said Board and for appeals therefrom.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 283. An Act to amend Sections 1078 and 1079 of Carroll's Kentucky Statutes, 1930 edition, in relation to the apportionment of magisterial districts.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

CALENDAR

Senator Gates F. Young moved that the second reading of bills and resolutions at length dispensed with and that they be read by their titles only.

Said motion was agreed to by a majority of the members elected.

It was ordered that the bills and resolutions be read by their titles only, and placed in Orders of Day.

Said titles to bills are as follows:

S. B. 93. An Act to amend and re-enact Section 1461 of the 1930 edition of Carroll's Kentucky Statutes.

S. B. 266. An Act to repeal, amend and re-enact section 165a-17 Carroll's Kentucky Statutes 1930 Edition, relating to insolvent banks, powers and duties of commissioners in respect to assets of said bank and fixing amounts of bonds for commissioner, deputy commissioner, State bank examiner or receiver of such banks, and providing for distribution of assets thereof.

S. B. 111. An Act to define oleomargarine and to prescribe regulations to govern the manufacture, storage and sale thereof; to provide for the issuance of license to the manufacturers and venders thereof on payment of fees therefor, and for revocation of such license for violations of this Act; to provide a privilege tax on sales oleomargarine; to provide for the enforcement of the provisions of this Act by the State Tax Commission and its agents; and declaring a violation of this Act to be a misdemeanor and providing punishment therefor, and authorizing the State Tax Commission to make rules and regulations to carry into effect this act, and

repealing all laws or parts of laws in conflict herewith, and declaring an emergency to exist.

S. B. 219. An Act to authorize cities of the second class to levy a tax for the purpose of providing a fund for the organization, employment and maintenance of a band, orchestra or drum and bugle corps.

H. B. 84. An Act providing for the reopening and reorganization of closed Banks or Trust Companies or combined Banks and Trust Companies in this Commonwealth.

S. B. 94. An Act to amend and re-enact Section 1460 of the 1930 Edition of Carroll's Kentucky Statutes.

S. B. 95. An Act to amend and re-enact Section 1482 of the Baldwin's 1931 Supplement to Carroll's Kentucky Statutes, and being Section 4 of Chapter 49 of the Acts of the General Assembly of the Commonwealth of Kentucky at its 1930 Session.

S. B. 254. An Act to amend and to re-enact Section Seventeen Hundred and sixty-three (1763) of Carroll's Kentucky Statutes, Nineteen hundred and thirty Edition, as amended by Chapters 113 and 123 of the Acts of the General Assembly of 1930, and to fix the salary of the Chief Deputy in the office of the Sheriff in Counties having a population of Two Hundred Thousand or over.

S. B. 42. An Act authorizing the Board of Regents of the Morehead State Teachers College to acquire by gift, certain property in Johnson County and thereto to establish, operate and maintain a Normal School and Teachers College at Paintsville, in Johnson County, Kentucky, under the name of "John C. C. Mayo College of the Morehead State Teachers College."

S. B. 90. An Act to amend and re-enact Chapter 29 of the Acts of the General Assembly of Kentucky of 1928

approved March, 20, 1928 which was: An Act relating to fines and forfeitures in courts inferior to the circuit court except police courts and fixing the percentum of such fines and forfeitures to be paid to the county and Commonwealth Attorneys, respectively, and repealing sections 124 and 133, Kentucky Statutes, Carroll's 1915 edition and section 2554a-43, Kentucky Statutes, Baldwin's Supplement to Carroll's 1922 edition, being section 43 of Chapter 35 of the Acts of the General Assembly of 1922, to the extent only of the conflict between this act and of said sections.

S. B. 185. An Act to amend Section 36 of Carroll's Code of Criminal Practice, Baldwin's 1927 Edition, relating to arrests.

S. B. 183. An Act to amend section 28 of Carroll's Criminal Code of practice, Baldwin's 1927 Edition and relating to bail in criminal cases.

S. B. 195. An Act to provide the circuit courts of this State with copies of the Statutes and Codes of Practice and Supplements thereto and repealing Section 2432 of Carroll's Kentucky Statutes, Baldwin's 1930 Revision.

S. B. 193. An Act to amend and re-enact Section 971-3, 971-4, 971-10, 971-12 and 971-13 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930.

S. B. 188. An Act to amend section 191 of the Criminal Code of Practice relating to the formation of the jury and providing for a thirteenth juror in certain cases.

S. B. 300. An Act repealing section 2730f-4, Kentucky Statutes, Carroll's 1930 Edition, including all and singular sub-sections thereof, being all of Chapter 26 of the Acts of the General Assembly of 1922; and enacting in lieu thereof an act creating a commission of five members to be known as "My Old Kentucky Home Commission," fixing the qualifications and terms of office of the members of said Commission,

and prescribing the powers and duties of said Commission; and declaring an emergency to exist.

Senator Gates F. Young moved that the Senate do now adjourn.

Said motion was agreed to and

The Senate adjourned.

TUESDAY, FEBRUARY 9, 1932

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by Rev. Dr. Savage of the Methodist Church of Frankfort.

The roll of the Senate was called and the following Senators answered to their names.

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	O. M. Rogers
W. W. Booles	Alex E. Johnson	J. M. Rose
H. M. Brock	L. C. Littrell	R. H. Royster
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Joe Stewart
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
Chas. G. Franklin	E. C. Moore	F. M. White
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch Hamilton	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Allie W. Young
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young
Wm. Isaacs		—37

Senator Gates F. Young moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Van Hoose moved that the privileges of the floor be extended to Senator Marshall, Henry P. Barrett, F. H. Vogel and E. A. Walker.

Said motion was agreed to.

Senator Ragan moved that the privileges of the floor be extended to James Macht and Elmer Knepfle.

Said motion was agreed to.

Senator Humphreys moved that the privileges of the floor be extended to Goolder Johnson and Elmus Beale.

Said motion was agreed to.

Senator Ferguson moved that the privileges of the floor be extended to Judge W. E. Ferguson and Mr. McKinley of Albany, Kentucky.

Said motion was agreed to.

Senator Gaines moved that the privileges of the floor be extended to Mr. Ralph Kinney of Lexington.

Said motion was agreed to.

Senator Yates moved that the privileges of the floor be extended to Messrs. J. C. Hutchison, E. L. Kerley, Joe Horning, C. E. Myres, W. E. Jones, C. E. Jones and C. C. Wilson.

Said motion was agreed to.

Senator Ragan moved that the privileges of the floor be extended to Mr. and Mrs. Joseph Smith and Mr. and Mrs. Frank Bentsch, of Cold Spring, Kentucky.

Said motion was agreed to.

Senator Turner moved that the privileges of the floor be extended to Mr. E. J. Beal of Murray.

Said motion was agreed to.

Senator Naive moved that the privileges of the floor be extended to Mr. Jim Watts and Mr. Bob Hunter of Nicholasville.

Said motion was agreed to.

Senator Stewart moved that the privileges of the floor be extended to Miss Eva Ingram and May Lou Hay of Greensburg.

Said motion was agreed to.

Senator White moved that the privileges of the floor be extended to Judge W. E. Ferguson and W. P. McKinley of Albany.

Said motion was agreed to.

Senator Stephenson moved that the privileges of the floor be extended to Messrs. L. J. May and P. B. Stratton of Pikeville and W. F. Stumbo of Martin, Kentucky.

Said motion was agreed to.

Senator Mehler moved that the privileges of the floor be extended to Mr. J. T. O'Neal of Louisville.

Said motion was agreed to.

Senator Gates F. Young moved that the privileges of the floor be extended to Messrs. H. A. Burkhead, R. H. Ford and E. K. Short, of Owensboro.

Said motion was agreed to.

Senator Naive moved that the privileges of the floor for the 1932 session be extended to Messrs. Geo. Hickey, Finnel and Goddard of Georgetown.

Said motion was agreed to.

Senator Pogue moved that the privileges of the floor be extended to Hon. Starling Marshall and Mr. Henry P. Barrett of Henderson.

Said motion was agreed to.

A message was received from the Governor, which reads as follows:

To the Lieutenant-Governor and
Senate of Kentucky:

Gentlemen:

I have this day appointed Mr. V. E. Barnes of Hopkinsville, Christian County, Kentucky, and Mr. M. O. Wrather of Murray, Calloway County, Kentucky, members of the Vocational Educational Board, their terms of office to expire January 26, 1934.

The names of the above gentlemen are most respectfully transmitted to the Senate of Kentucky for its confirmation.

Your obedient servant,

RUBY LAFFOON,
Governor Commonwealth of Kentucky.

It was ordered that said message be referred to the Committee on Rules.

Senator Ryans moved that the privileges of the floor for the 1932 session be extended to Hubbard Petty and Chas. Ryans of Louisville.

Said motion was agreed to.

Senator Franklin moved that the privileges of the floor be extended to Misses Maude Dickerson and Etta Smith.

Said motion was agreed to.

Senator Moss moved that the privileges of the floor be extended to Messrs. Dan F. Brown and D. F. Brown, Jr.

Said motion was agreed to.

Senator Moss moved that the privileges of the floor be extended to Mrs. Patrick Dunne, Mrs. Eunice Clemmons, Mrs. Faust Foushee, Miss Louise Brawner and Mrs. Dudley Williamson.

Said motion was agreed to.

Senator Gates F. Young moved that the privileges of the floor be extended to Mr. and Mrs. Wm. T. Barret and Mrs. Riburta Wood.

Said motion was agreed to.

Senator Hamilton moved that the privileges of the floor be extended to Mr. Wm. Kaltenbacher and attendant for the duration of the 1932 Session.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor be extended to C. J. Redmon of Paris.

Said motion was agreed to.

Senator Gates F. Young moved that Alex Barret, Jr., be made honorary page for the day.

Said motion was agreed to.

Senator Yates moved that the privileges of the floor be extended to Mrs. J. L. Goodman and Mrs. Rupert Devasher.

Said motion was agreed to.

Senator Jacobs moved that the privileges of the floor be extended to Judge Howard Orme, Messrs. T. J. Wood, Chambers Perry and John S. Owens of Mt. Olivet.

Said motion was agreed to.

Senator Gates F. Young moved that the privileges of the floor be extended to Hon. Sidney B. Neal, Messrs, G. A. Jett, H. H. Hale and James R. Nelson.

Said motion was agreed to.

Senator Yates moved that the privileges of the floor be extended to Judge Will Fulton of Bardstown.

Said motion was agreed to.

Senator Williams moved that the privileges of the floor be extended to Judge C. A. Bock and G. C. Allen.

Said motion was agreed to.

Senator Johnson moved that the privileges of the floor be extended to Judge L. D. Greene of Louisville.

Said motion was agreed to.

Senator Ragan moved that the privileges of the floor be extended to Dr. Chester Dorsey of Bellevue.

Said motion was agreed to.

Senator Lloyd moved that the privileges of the floor be extended to Mr. A. Beach.

Said motion was agreed to.

Senator Williams moved that the privileges of the floor be extended to G. W. Leslie and Elmer Wheeler.

Said motion was agreed to.

Senator Mehler moved that the privileges of the floor be extended to Mrs. Nealy of Jefferson County.

Said motion was agreed to.

Senator Gaines moved that the privileges of the floor be extended to Judge R. L. Hardin of Carrollton.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor be extended to Mr. W. A. Beatty of Winchester.

Said motion was agreed to.

Bills of the following titles were introduced, referred and ordered printed, as follows, viz.:

By Senator McCaw.

S. B. 342. An Act to amend and re-enact Section 5 of an act entitled "An Act creating a Board of Trustees for the West Kentucky Industrial College, repealing Chapter 18 of the Acts of the General Assembly of 1918, and Chapter 100 of the Acts of the General Assembly of 1922, and Sections 489, 490 and 491 of Senate Bill No. 28, in the present session of the General Assembly," which was approved on March 27th, 1926, and is now Chapter 91 of the Acts of the General Assembly of 1926.

To Committee on Normal Schools.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 5 of an act entitled "An act creating

a board of trustees for the West Kentucky Industrial College, repealing Chapter 18 of the Acts of the General Assembly of 1918, and Chapter 100 of the Acts of the General Assembly of 1922, and Sections 489, 490, and 491 of Senate Bill No. 28, in the present session of the General Assembly" which was approved March 27th, 1926, and is now Chapter 91 of the Acts of the General Assembly of Kentucky for 1926, be and the same is hereby amended and re-enacted so that the same as amended and re-enacted shall read as follows:

"Section 5. Purpose—Courses—Diplomas. It shall be the purpose of the West Kentucky Industrial College to train teachers for colored schools and to give industrial collegiate training to young men and women of the negro race. The Board of Trustees shall prescribe the courses of instruction to be given and shall issue diplomas and confer degrees to students completing such courses. Students completing such courses in the teacher training department shall be given diplomas and shall also receive teachers' certificates according to law without further examination. The courses offered in this institution shall be open to colored young men and women resident in this Commonwealth on such conditions as the board of trustees may prescribe and without the payment of the tuition fees, and shall be open to non-residents of this Commonwealth on payment of such tuition fees as the board may prescribe."

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

By Senator Ragan.

S. B. 243. An Act to amend Section 4326 of Carroll's Kentucky Statutes, 1930 Edition, relating to the removal of County Road Engineer.

To Committee on Roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That said Section 4326, be, and the same is, hereby repealed, and in lieu thereof the following is enacted as Section 4326:

The County Road Engineer may be removed at any time by the County Judge of the county, upon his own volition, or by the Fiscal Court, upon its own volition, for incompetency, malfeasance or misfeasance in office, or upon written charges in either case filed after a hearing, of which ten days notice shall be given by serving a copy of such charges upon such Road Engineer. Such hearing shall be heard at the Court House in the county seat. If upon such hearing it appears that such charges are sustained, the judgment shall remove such Road Engineer and forthwith serve notice thereof by mail on the County Road Engineer. Such notice shall state specifically the grounds for such removal. The records of the proceedings upon such hearing shall be filed in the office of the County Clerk. The Fiscal Court of the county shall within 10 days after such removal appoint a Road Engineer to fill the vacancy caused by such removal. Persons so appointed shall hold office for the unexpired term, or until a judgment or final order of a court of competent jurisdiction, determining that the original Road Engineer was wrongfully and illegally removed, and directed his reinstatement to be rendered.

By Senator Gaines.

S. B. 344. An Act to authorize the sewer commission of any city of the first class to sell bonds under par.

To Committee on Kentucky Statutes, No. 1.

Said bill reads as follows:

Whereas, because of the unusual economic conditions, the municipal bond market is so depressed that no city within the Commonwealth is able to sell at par any bonds which were

authorized at the regular election in 1928 for projecting, constructing and establishing a system or systems of sewers, where the maximum interest rate of such bonds as so voted is five per centum per annum or less; and

Whereas, because of the same unusual economic conditions, the costs of labor, supplies and materials required for constructing sewer systems have at all times since July 15, 1930, been at least fifteen per cent. less than such costs at the time of said election, and every city which made contracts therefor since July 15, 1930, has thereby effected savings of at least fifteen per cent, of the costs which the voters at such election had in contemplation for the work so contracted; and

Whereas, by reason of the foregoing, if, in order to provide money to pay contracts which have been made since July 15, 1930, for such sewer construction, bonds so authorized and bearing interest at four and one-half per centum per annum or more and maturing not more than forty years from their date as required by the Constitution of the Commonwealth, shall be sold at a price not less than a price which represents a net interest yield of five and three-eights per centum per annum, computed in accordance with standard tables of bond values, the amount of the discount on such sale will be less than the savings on such contracts and therefore the completion of the improvements contemplated by the ordinance submitting the question of issuing such bonds to the voters will not be prejudiced by such sale, and neither the amount of bonds necessary for such improvements nor the tax provided by such ordinance to pay such bonds will be increased; and

Whereas, no election to change the interest rate of such bonds or to authorize other bonds can be lawfully held, under the Constitution of the Commonwealth, before the regular election of November 8, 1932, and

Whereas, a city of the first class will be compelled to default on or before April 1, 1932, in payment of existing contracts for sewer construction, causing loss of its credit and the serious embarrassment of those contracting with such

city in good faith, as well as impairing the ability of such city to make favorable contracts for further sewer construction, unless such city is enabled to sell such bonds under par; now therefore

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the sewer commission of any city of the first class is hereby empowered to sell at any price not less than a price which represents a net interest yield of five and three-eights per centum per annum, computed in accordance with standard tables of bond values, such an amount of bonds voted at the regular election in 1928 for projecting, constructing and establishing a system or systems of sewers, and which bear interest at the maximum rate authorized by said election if not less than four and one-half per centum per annum, as may be necessary, with available bond proceeds then on hand, to provide money for the payment of contracts for sewer construction made since July 15, 1930, and prior to the passage of this Act; provided, however, that there may be reserved from such bond proceeds then on hand such amount as may be deemed necessary for other lawful disbursements of the sewer commission until the convening of the next regular session of the General Assembly.

§ 2. An emergency being declared to exist, for reasons set forth in the preambles hereof, and because the public peace, health, safety and credit will be impaired unless this Act shall take effect immediately, this Act shall take effect immediately from and after its passage and approval by the Governor as provided by law.

By Senator Williams.

S. B. 345. An Act designating and establishing, as a part of the primary system of State highways of the Commonwealth of Kentucky and as a part of the project leading from Beattyville, Lee County, Kentucky, to Jackson, Breathitt County, Kentucky, a road beginning at a point in the State

highway at the mouth of Dunnigan's branch in Lee County and running by the way of Long Shoal school house, Tallega, Athol and Oakdale to Jackson, Kentucky.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby directed and established, as a part of the primary system of State highways of the Commonwealth of Kentucky, and as a part of the project leading from Beattyville, Lee County, Kentucky, to Jackson, Breathitt County, Kentucky, a road beginning at a point in the State highway at the mouth of Dunnigan's branch in Lee County and running by the way of Long Shoal school house, Tallega, Athol and Oakdale to Jackson, Breathitt County, Kentucky.

By Senator Ragan.

S. B. 346. An Act to amend Section 1835, Carroll's Kentucky Statutes, 1930 Edition, relating to Clerks of the Fiscal Court.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1835, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed and in lieu thereof the following is enacted as said Section 1835.

The Clerk of the County Court of each county shall, by virtue of his office, be clerk of the fiscal court. He shall attend

its sessions and keep a full and complete record of all its proceedings, with a proper index. For his services the Fiscal Court shall annually make him a reasonable allowance, to be paid out of the county levy, however, not to exceed the sum of two hundred dollars ($200.00).

By Senator Ragan.

S. B. 347. An Act to amend Section 4325 of Carroll's Kentucky Statutes, 1930 Edition, relating to the office of road engineer.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4325 of the Kentucky Statutes, 1930 Edition, be and the same is hereby repealed and in lieu thereof the following is enacted as Section 4325:

There is hereby created in the several counties of the State of Kentucky the office of county road engineer. The fiscal court in each of the counties of this State may within thirty (30) days after this law becomes operative on or before the first day of January, 1914, and every two years thereafter, appoint a county road engineer who shall be either a reputable civil engineer, or a man who has had practical experience as a road supervisor or builder for two years, and who shall have passed a creditable examination by the State Commissioner of Public Roads or one of his representatives.

Nothing in this section shall prevent the present county road engineer from serving a term for which they are elected or appointed. Such county road engineer, except the first, as appointed, shall serve a period of two years from and after the first day of January, and until his successor is appointed

or qualified. The term of the first one appointed, regardless of when appointment was made, shall expire January 1, 1914. Vacancies in the office of the county road engineer shall be filled by appointment for the unexpired term by the fiscal court of the county. The county road engineer shall receive as a salary not less than six hundred dollars ($600.00) per annum to be fixed by the fiscal court, which shall be paid as provided in the case of other county officials. The county surveyor of the county elected at the last preceding general election may receive such appointment, provided he be competent, as provided by this chapter, and for such service he shall receive the compensation fixed by the fiscal court as provided in this section in lieu of all fees except such fees as are allowed by the law for his services as county surveyor. It shall be the duty of the county clerk to give written notice to the appointees provided in this chapter of their appointment as soon thereafter as practical, and each person appointed shall, within ten (10) days after having been notified of such appointment, qualify by giving such bond as the county court may direct for the faithful performance of his duties, and shall also take oath to well and truly perform the duties thereof.

The county road engineer shall have an office with proper furniture and equipment at the county seat of the county; provided, that in counties where the fiscal court does not provide for a county road engineer, the services in this Act directed to be performed by the county road engineer, except as otherwise herein performed, shall be performed by the county surveyor, or some other person designated by the fiscal court, and for such services shall receive the same compensation allowed by law to commissioners for dividing lands.

The county road engineers who are now in office shall continue to serve as such until the first day of January, 1919, unless sooner removed pursuant to the provisions of the Kentucky Statutes, Section 4326.

Senator Pogue proposed the following resolution:

S. Res. 31. Resolution authorizing J. F. Dorroh to file suit against the Commonwealth of Kentucky.

Whereas, on August 21, 1929, in Crittenden County, employees of the State Highway Commission, while engaged in clearing the right of way along the sides of Highway No. 91, did set fire to piles of brush near the property of the said Dorroh, and did negligently leave said brush burning without watching, but on the contrary went away and allowed the fire to spread through the grass until it reached and destroyed fencing, rails and straw stacks of said Dorroh, which were near the said right of way.

Now in order to determine by judicial action the question of negligence and the amount of damage caused by the said negligence:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. F. Dorroh be and is hereby empowered and authorized to file and prosecute action against the Commonwealth of Kentucky and the State Highway Commission, or either, for such damages as he has sustained.

§ 2. Such action may be brought in any circuit court of the Commonwealth of Kentucky, which may have competent jurisdiction of the subject matter.

To Committee on Kentucky Statutes No. 1.

Senator Johnson proposed the following resolution:

S. Res. 32. A resolution providing for the taxing of all former aides de camp with the rank of colonel, on the staffs of all former Governors of this Commonwealth.

Be it resolved by the Senate, the House concurring therein,

Whereas, an emergency exists in the fiscal affairs of this Commonwealth, and all loyal Kentuckians are being called upon to make extraordinary sacrifices, and new sources of taxation are being sought and one gigantic reservoir of revenue has not as yet been taxed, and

Whereas, the Commonwealth of Kentucky is fortunate in having at its command thousands of patriotic, courageous, loyal and fearless colonels whose commissions have expired but who still presume to use the honorable title which was gratuitously bestowed upon them by former Governors of this Commonwealth,

Now, therefore, be it resolved by the House of Representatives, the Senate concurring therein, that it shall be unlawful for any former colonel on any former Governor's staff, to use or permit to be used, the title or prefix of colonel before his or her name, unless he or she shall pay or cause to be paid to the State Treasurer the sum of one hundred ($100.00) dollars per annum, for so long as he or she shall wish to use said appellation.

Whereas, in view of the fact that Kentucky now has a huge State debt represented in outstanding warrants of thirteen million dollars, and this revenue is sorely needed to liquidate this financial condition of our state government, an emergency is now declared to exist and this resolution will take effect from and after its passage and approval by the governor.

To Committee on Veterans Legislation:

COMMITTEE REPORTS.

Senator Pogue of the Committee on Kentucky Statutes, No. 2, to which had been referred a bill of the following title:

S. B. 274. An Act providing that it shall be unlawful for the mayor and members of boards of council of cities of the fourth class to vote for any relatives by blood or marriage for

any office set out in the Charter of the aforesaid class cities, and providing penalty therefor.

Reported without expression of opinion.

Senator Moss moved to give bill its first reading, report of committees to the contrary notwithstanding.

The yeas and nays being required thereon by Senators Moss and Rose were as follows

Those who voted in the affirmative were:

H. M. Brock	Alex E. Johnson	Dr. Lewis Ryans
Dr. T. J. Edge	L. C. Littrell	E. D. Stephenson
Walter N. Flippin	Frank I. Lloyd	Joe Stewart
Chas. G. Franklin	Rev. C. D. McClaw	Thos. O. Turner
Perry B. Gaines	C.T.McCormick,Sr.	Fred C. VanHoose
Arch Hamilton	Ray B. Moss	F. M. White
J. S. W. Holloway	D. C. Naive	W. A. Yates
Robert Humphreys	Dr. G. W. Ragan	Allie W. Young
Wm. Isaacs	J. M. Rose	Gates F. Young

—27

Those who voted in the negative were:

Jas. H. Bondurant	Silas Jacobs	Marion F. Pogue
W. W. Booles	Wm. Mehler	Sewell B. Williams
Edwin C. Dawson	E. C. Moore	

—8

Therefore said bill was refused its first reading.

Senator Gaines of the Committee on Appropriations, to which had been referred a resolution of the following title:

S. Res. 23. Joint Resolution for the benefit of the City of Hardinsburg, Kentucky and authorizing the State Highway Commission of Kentucky to ascertain the cost of construction of Federal Aid Highway No. 60 through the corporate limits of said city over the route hereinafter described, and to pay the amount thereof to the City of Hardinsburg.

Reported with the following Amendment thereto:

Amend Senate Resolution 23 by adding thereto after the figures 1928 at the close of said resolution, the following:

"Provided however, that nothing in this resolution shall be construed as obligating the State Highway Commission of Kentucky to enter into any contract with the City of Hardinsburg in violation of the judgment and discretion of said Highway Commission with reference thereto.

Senator Franklin of the Committee on Motor Vehicles and Transportation, to which had been referred a bill of the following title:

S. B. 1. An Act authorizing, regulating and governing the transportation for hire of persons and property by motor vehicles on public highways; giving the Railroad Commission of Kentucky certain powers with respect thereto; providing for the payment of fees and for the payment of taxes; giving the State Tax Commission certain powers in connection therewith; prescribing punishment and penalties; and repealing all laws in conflict herewith.

Reported with a Committee Amendment by way of a substitute therefor, with a Committee Amendment thereto, with the expression of opinion that same ought to pass.

Committee Amendment to the Substitute Bill.

Amend the Substitute for Senate Bill No. 1, Section 10, subsection A, by striking out the words "ten (10) persons or less" in the third line and inserting in lieu thereof the words: "less than Seven (7) persons, one-half (½) cent; on each such motor vehicle with a seating capacity of seven (7) persons and not more than ten (10) persons."

Senator Allie W. Young moved that the substitute bill to Senate Bill No. 1 be printed.

Said motion was agreed to.

Senator Pogue of the Committee on Kentucky Statutes, No. 1, to which had been referred a bill of the following title:

H. B. 78. An Act to amend section 1072 of Carroll's Kentucky Statutes, 1930 Edition.

Reported with expression of opinion that same ought to pass.

Senator Pogue of the Committee on Kentucky Statutes, No. 1, to which had been referred a bill of the following title:

S. B. 15. An Act to permit parties to legally stipulate to pay Attorney's fees in bills of exchange, notes and other written contracts.

Reported with expression of opinion that same ought not to pass.

Senator McCormick moved that said bill be given its first reading, the report of the Committee to the contrary notwithstanding.

The question being taken upon said motion, was decided in the negative by two-thirds of the members elected.

Therefore, said first reading was rejected.

Senator Franklin of the Committee on Motor Vehicles and Transportation to which had been referred a bill of the following title:

S. B. 101. An Act to regulate further Motor-Trucks, Semi-Trailers Trucks, Semi-Trailers, and Trailers, to enlarge the powers of the State Highway Commission, County Courts, and Cities and incorporated Towns in respect thereof, to provide for enforcement of the Act and penalties for violations thereof, and repealing all laws inconsistent therewith.

Reported with amendments thereto, with the expression of opinion that same ought to pass.

Amend on Page 3, Section 6, line 2, by changing the figures 25 to 26½.

Amend Section 13 as follows:

Paragraph (c). The Commission is hereby authorized to prescribe, by orders of general application, rules and regulations for the issuance by it of permits for the operation of motor trucks, tractors, semi-trailers, and trailers ,whose gross weight including load, height, width or length, may exceed the limit prescribed by sections 3, 4, 5, and 6 hereof, or which, in other respects fail to comply with the requirements of this Act. Said permits may be issued by said Commission for stated periods and for special purposes and to meet unusual conditions, and upon such terms and conditions in the interest of public safety and the preservation of the highways as the Commission may, in its discretion, require. Said Commission shall require, as a condition to the issuance of such permit, that the applicant pay a reasonable fee therefor, to be fixed by the Commission, and may require that the applicant give bond, with approved surety, to indemnify the State, and/or the counties thereof, against damage to roads or bridges resulting from the use thereof by the applicant.

The operation of motor trucks, tractors, semi-trailers, or trailers, in accordance with the terms of any such permit shall not constitute a violation of this Act, provided the operator thereof shall have said permit, or copy thereof authenticated as the Commission may require, in his possession.

The operation of any motor truck, tractor, semi-trailer or trailer in violation of the terms of any such permit, shall constitute a violation of this Act."

Further amend Section 13 by adding a new paragraph:

(d). The limitations herein prescribed by Section 3 shall

not apply, prior to January 1, 1933, to any motor truck or semi-trailer truck which shall have been registered and shall have paid the annual registration fee as provided by the law of this State, before the date upon which this Act shall be approved by the Governor, or before the date this Act shall become a law without the approval of the Governor, but shall, as to such vehicles, be and become in full force and effect on and after January 1, 1933.

Further Amend Senate Bill 101, by deleting the figures and words "13000 Pounds" in line 3 of Section 3, Page 2 of the printed bill and inserting in lieu thereof, the words and figures "18000 Pounds."

Senator Pogue of the Committee on Kentucky Statutes, No. 2, to which had been referred a bill of the following title:

S. B. 223. An Act to amend Section 192 of the present Constitution of the Commonwealth of Kentucky.

Reported with expression of opinion that same ought to pass.

Senator Allie W. Young of the Committee on Kentucky Statutes, No. 1, to which had been referred a bill of the following title:

S. B. 306. An Act to amend and re-enact Section 4148, Kentucky Statutes, Carroll's 1930 Edition, relating to the time and manner of payment of taxes.

Reported with expression of opinion that same ought to pass.

CALENDAR

Senator Gates F. Young moved that the second reading of bills and resolutions at length be dispensed with and that they be read by their titles only.

Said motion was agreed to by a majority of the members elected.

It was ordered that the bills and resolutions be read by their titles only, and placed in Orders of Day.

Said titles to bills are as follows:

S. B. 293. An Act providing for the protection and assistance of aged and needy persons in the Commonwealth of Kentucky, and prescribing penalties for violation of the provisions hereof.

S. B. 307. An Act to amend Section 7 of Chapter 35, Acts of the General Assembly of 1914, (Section 415B-7 Kentucky Statutes, 1922-30) relating to Pensions for Confederate soldiers.

S. B. 152. An Act to repeal Chapter 13 of the Acts of the General Assembly of 1912, same being sections 4398a-1, 4398a-2, 4398a-3, 4398a-4, 4398a-5, Carroll's 1922 Edition Kentucky Statutes, relating to the inspection of school funds and authorizing the State Superintendent of Public Instruction to act as Special State Inspector and Examiner of all schools in cities, towns and counties receiving funds directly or indirectly from the State or said cities, towns or counties and to amend and re-enact section 4623, Carroll's 1922, Edition Kentucky Statutes by adding thereto the following words, to-wit: "It shall be the duty of said State inspector once each year to inspect and examine into the fiscal management and conduct of the office of all school officials, whose duty it is to receive, handle or disburse the public school funds of the State or any city, town, county or taxing district, and to make a written report to the Governor and also to the Commonwealth's Attorney and County Attorney of the county or district where such inspection is made."

ORDERS OF THE DAY

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 221. An Act to appropriate $12,500 for repairs of the Executive Mansion.

Senator Turner moved that said bill be recommitted with leave to report at any time.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 42. An Act authorizing the Board of Regents of the Morehead State Teachers College to acquire by gift certain property in Johnson County and thereto to establish, operate and maintain a Normal School and Teachers College at Paintsville, in Johnson County, Kentucky, under the name of "John C. C. Mayo College of the Morehead State Teachers College."

Senator Van Hoose moved that said bill be made a special order for Thursday, February 11th, at 2 o'clock P. M.

The question being taken thereon, was decided in the negative,

Therefore, said motion was lost.

A message was received from the House of Representatives announcing that they had passed a bill of the following title:

H. B. 162. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

CONTINUANCE OF BOARD AND MANNER OF APPOINTMENT

§ 1. That the Kentucky State Board of Dental Examiners heretofore created be continued, to consist of five practicing dentists, whose duty it shall be to carry out the purposes and enforce the provisions of this Act as hereafter specified. The members of said Board shall be appointed by the Governor from a list of three names, to be recommended by the Kentucky State Dental Association, at its annual meeting, and at the time of their appointment upon said board must have been actual residents and legally licensed practicing dentists of this State for a period of five years or more immediately preceding their appointment: Provided, however, That no person shall be eligible to appointment to said board who is in any way connected with or interested in any dental college or dental department of any institution of learning or dental supply business. The term for which the members of said board shall hold office shall be five years, provided the present members of the board in office at the time of the passage of this act shall continue in office until their respective terms have expired and until their successors are appointed and qualified. All vacancies in said board shall be filled by the Governor from said list.

OFFICERS, MEETINGS, RECORDS, ETC.

§ 2. Said Board of Dental Examiners shall choose one of its members President, and one Secretary-Treasurer, thereof, at an annual meeting on the first Tuesday in June of each year. Said board may meet oftener if necessary in the discretion of the board at such places as it may deem proper, for the examination of applicants who desire to practice dentistry in this State, and for the transaction of any other business that may come before it. Said board shall keep a record book in which shall be registered the names, addresses, license numbers, of all persons legally entitled to practice dentistry in this State. A majority of the members of said board shall at all times constitute a quorum for the transaction of business, and the proceedings of said board shall be recorded in a minute book open at all reasonable times to public inspection. The

Secretary-Treasurer shall execute to the said board bond with approved security for the faithful performance of his duties.

LICENSES AND REGISTRATION AND HOW GRANTED

§ 3. No person shall practice dentistry in this State or attempt to do so after the passage of this Act without first applying for and obtaining a license for such purpose from the said Kentucky State Board of Dental Examiners, and registering such license as herein provided, and this provision applies to all persons whether they have heretofore practiced dentistry or not in this State, except such persons as have been heretofore licensed and registered. Application shall be made to the said board in writing for license and shall in every instance be accompanied by the examination fee of Forty Dollars, which sum is authorized to be charged for each examination by said board. The applicant must be of good moral character, at least twenty-one years of age at the time of making the application, and the application of each person seeking a license must be accompanied by satisfactory evidence to said board that the applicant so applying is a graduate of and has a diploma from the faculty of a reputable dental college, school, or dental department of a reputable university, rated as A or B by the Dental Educational Council of America and should the Dental Educational Council of America cease to exist the board of examiners shall rate dental colleges, dental schools, or dental departments of a university. Examinations must be clinical and written and of such a character as to satisfactorily test the qualifications of the applicant to practice dentistry, and the board may, in its discretion, refuse to grant license to any person they find guilty of cheating, deception, or fraud during such examination. Examination papers and clinical examination results where possible shall be retained by the secretary of the board for a period of 5 years.

REGISTERING LICENSE WITH COUNTY CLERK

§ 4. Every person licensed to practice dentistry in this State by the said Kentucky State Board of Dental Examiners,

as herein provided shall, before beginning the practice of dentistry, cause said license to be registered with the county clerk of each county in which such person desires to engage in the practice of dentistry by appearing before such clerk and filing his affidavit, showing that he has been examined and licensed as herein provided, and the county clerk of each county before whom such persons appear shall attest the filing of the license certificate in duplicate on blanks furnished to the licensee by the board, one copy to be retained by the licensee and the other copy to be forwarded to the secretary of the board by the licensee, and the county clerk of each county is authorized to receive a registration fee of fifty cents for each registration.

DISPLAY OF LICENSE AND CERTIFICATE OF REGISTRATION

§ 5. The license to practice dentistry herein provided, and the certificate of registration, (together with the annual renewal certificate) shall at all times be displayed in a conspicuous place in his or her office wherein he or she shall practice the profession of dentistry, and if there are more dentists than one practicing or employed, in any dental office, the proprietor of such office shall post and display or cause to be posted or displayed in like manner the name, license, and registration certificate of each dentist so practicing and so employed therein. Any person practicing dentistry within the meaning of this act, who shall fail to so post and display or cause to be posted or displayed, the name, license, and registration certificate of himself and any person practicing or employed to practice as a dentist in his or her dental office, shall be guilty of a misdemeanor, and upon conviction thereof they shall be subject to a fine of not less than twenty-five dollars nor more than ($50.00) fifty dollars for the first offense, and for every subsequent offense he or she shall be subjected to a fine of not less than one hundred dollars nor more than two hundred and fifty dollars, or by imprisonment for a period of not less than sixty days, or by both such fine and imprisonment, and he or she shall, whenever requested, exhibit such license to members of the Board of Dental Examiners or its authorized agent.

REVOCATION OF LICENSE

§ 6. The State Board of Dental Examiners may refuse to issue licenses or may suspend or revoke the same for any of the following causes:

1. The presentation to the board of any diploma, license or certificate illegally or fraudulently obtained, or one obtained from an institution which is not reputable, or an unrecognized or irregular institution or State board, or the practice of any fraud or deception. Any person who shall assist any applicant to cheat or deceive the examining board or any member thereof or who shall give or attempt to give assistance to any applicant in the course of his or her examination or assist any applicant to fraudulently obtain any license to which said applicant is not entitled shall upon conviction thereof be adjudged guilty of a misdemeanor.

2. The commission of a criminal operation or conviction of a felony involving moral turpitude, or chronic or persistent inebriety or addiction to drugs, or if the person holding such license shall advertise to practice dentistry without causing pain, or shall in any other manner advertise with a view of deceiving or defrauding the public, or advertise to use any drug, nostrum, patent or other proprietary drug or medicine be guilty of any conduct likely to deceive or defraud the public, or which disqualifies the applicant to practice with safety to the people, or who employs directly or indirectly any unregistered or unlicensed person to practice dentistry in his or her office, or be guilty of splitting a professional fee. In all proceedings for a suspension or revocation of license, the holder thereof shall be given thirty days' notice to prepare for a hearing, and he shall be heard in person or by counsel or by both. The President and Secretary of the State Board of Dental Examiners shall have the power to administer oaths, in the hearing of all matters arising in the course of their duties, and in such trials as are herein referred to the State Board of Dental Examiners may take oral or written proof for or against the complainant, as it may deem will best present the facts. The Board of Dental Examiners shall have

the right and power to issue subpoenas and thereby compel the attendance of persons before it for the purpose of examination into any facts or conditions which may be properly pending before said board for its action. In all of refusal to issue license, suspension or revocation, the applicant or holder may appeal to the Governor of the State within thirty days after such action by the State Board of Dental Examiners.

FAILURE TO REGISTER LICENSE

§ 7. Any failure, neglect or refusal on the part of any person obtaining a license to practice dentistry from the State Board of Dental Examiners, to register said license with the county clerk of some county in this State within ninety days from the date of the issual of such license, on removal to another county within the State, to cause his license to be registered in the same manner as above provided, shall work a forfeiture of such license, and no license when once forfeited shall be restored except upon payment to the said board of the sum of twenty-five dollars for such neglect, failure, or refusal to register such license.

EXAMINATION FEES AND COMPENSATION TO MEMBERS OF THE BOARD

§ 8. In order to provide the means for carrying out and enforcing the provisions of this Act, the said board shall charge each person applying for an examination for a license to practice dentistry in this State an examination fee of Forty Dollars, and in addition thereto, a fee of Five Dollars for every license and Five Dollars for every duplicate license issued by said board, and out of the funds coming into possession of the said board under the provisions of this Act, the members of said board shall each receive as compensation the sum of Five Dollars for each day actually engaged in duties of the office, and all necessary expenses incurred in attending the meetings of said board; provided that the Secretary of the board shall be allowed a reasonable salary to be fixed by the board and no per diem: all expenses shall be paid from the fees and penalties received and recovered by the board

under the provisions of this Act; provided that no part of said expenses shall be paid out of the State Treasury. All money received in excess of said per diem allowances and other expenses, herein provided, shall be held by the Secretary-Treasurer of said board as a special fund for meeting the other expenses of said board, and for such use as the said board may deem necessary in the enforcement of this Act, and said board shall make an annual report of its proceedings to the Governor on or before the 31st day of December each year, showing all money received and disbursed by it pursuant to this Act.

RENEWAL CERTIFICATES OF LICENSE

§ 9. On or before the 31st day of December each year, every dentist legally licensed to practice dentistry in this State shall transmit to the Secretary of the said Board of Dental Examiners his signature and address, together with the fee of Three Dollars and the number of his or her registration certificate, and receive therefore a renewal license certificate. Provided that the license shall not be renewed, if the holder thereof has not been in active practice for five years immediately preceding. Any license granted by said board shall be cancelled and annulled if the holder thereof fails to secure the renewal certificate herein provided for by March 1st of each year, provided any license thus cancelled may be restored by the board upon the payment of fee of Twenty-Five Dollars if paid within one year after such cancellation.

PENALTY FOR FRAUD IN OBTAINING CERTIFICATE OF REGISTRATION

§ 10. Any person filing or attempting to file as his own the diploma or license of another, or a forged affidavit of identification or qualification, shall be deemed guilty of a felony and be punished upon conviction by imprisonment in the penitentiary of not less than one nor more than five years.

DENTISTRY DEFINED

§ 11. Any person shall be regarded as practicing den-

tistry, within the meaning of this act, who shall diagnose or profess to diagnose, X-Ray, or treat or profess to treat, any of the diseases or lesions of the oral cavity, teeth, gums, maxillary bones (or their dependent tissues), or extract teeth, or shall prepare or fill cavities in human teeth, correct malposition of teeth or jaws or supply artificial teeth as substitutes for natural teeth, or administer anesthetics, general or local, or any other practice included in the curricula of recognized dental colleges, or who shall use the word "Dentist," Dental surgeon, the letters D. D. S., or other letters or titles in connection with his or her name or in any other manner represent themselves as being engaged in the practice of dentistry. Provided, that nothing in this Act shall be so construed as to prevent regularly licensed physicians and surgeons from extracting teeth or treating any diseases coming within the province of the practice of medicine.

EXEMPTION FROM JURY SERVICE

§ 12. All dentists of this State shall be exempt from service as jurors in any of the courts of this State.

SIGNATURES, SEAL, ETC., ON LICENSE

§ 13. All license issued by said board shall bear a serial number, the full name of the applicant, the date of the issue, the seal of the board, and be signed by a majority of the members and attested by its President and Secretary.

UNLAWFUL TO PRACTICE UNDER NAME OF A COMPANY

§ 14. It shall be unlawful for any person or persons to practice or offer to practice dentistry or dental surgery under the name of any company, association, or corporation, and every person or persons practicing or offering to practice dentistry or dental surgery, shall practice under his or her own respective name or names only, and shall not use his name in connection with that of another dentist.

DENTAL RECIPROCITY

§ 15. Said board may in its discretion issue a license to

practice dentistry without examination other than clinical to a legal and ethical practitioner of dentistry who removes to Kentucky from another State or territory of the United Sates, whose standard of requirement is equal of that of Kentucky, and in which he or she conducted a legal and ethical practice of dentistry for at least five years immediately preceding his or her removal, provided such applicant shall present a certificate from the dental board of a like board of the State or territory from which he or she removes, certifying that he or she is a legal, competent and ethical dentist, and of good moral character: and provided further, that such certificate is presented to the Kentucky State Board of Dental Examiners within six months from the date of its issue, and that the board of such other State or territory shall permit in like manner by law the recognition of licenses issued by the Kentucky State Board of Dental Examiners when presented to such other board by legal practitioners of dentistry from this State who may wish to remove to or practice in such other State or territory.

RECIPROCITY LEAVING STATE

§ 16. Any one who is a legal, ethical and competent practitioner of dentistry in the State of Kentucky, and of good moral character, and known to the Board of Dental Examiners as such, who shall desire to change his or her residence to another State or territory, or foreign country, shall upon application to the said Board of Dental Examiners of this State, receive a special certificate over the signature of the president and secretary of said board and bearing its seal, which shall attest the facts above mentioned in section 15 and give the data upon which he or she was registered and licensed.

RECIPROCITY FEES

§ 17. The fee for issuing a license to a legal practitioner from another State, as provided in section 15, shall be sixty dollars, and the fee for issuing a certificate to the legal practitioner in this State as provided in section 16, shall be five

dollars, and in each case the fee shall be paid in cash before the license or certificate respectively shall be issued.

PENALTY FOR PRACTICING WITHOUT LICENSE OR CERTIFICATE

§ 18. Any person who shall practice or attempt to practice dentistry in this State without having been licensed and registered for that purpose, as herein provided, or who shall violate any of the provisions of this Act, for which no specific penalty has been provided herein, shall be subject to fine of not less than one hundred dollars nor more than five hundred dollars for the first offense. Each offense shall constitute a practicing of dentistry within the meaning of this Act, and each day that a person shall hold himself out as practicing dentistry within the meaning of this act, and each day that a person shall hold himself out as practicing in any name except his own shall be deemed a separate offense. Any person who shall be guilty of a second offense shall be deemed guilty of a felony and upon conviction shall be punished by a fine of one hundred dollars nor more than five hundred dollars or imprisonment of six months or both. The opening of an office for the purpose of practicing dentistry, or to announce to the public in any way a readiness to do any act defined herein as being dentistry, shall be deemed to engage in the practice of dentistry, within the meaning of this act.

DISPOSITION OF FEES

§ 19. All fees, imposed and collected under the provisions of this Act, shall be paid to the Secretary-Treasurer of the Kentucky State Board of Dental Examiners for the use of said Board.

DRUGGISTS MAY FILL DENTISTS' PRESCRIPTIONS

§ 20. Legally licensed druggists of this State may fill prescriptions of legally licensed dentists of this State for any drug necessary to the practice of dentistry. Dentists may sign death certificates the same as physicians, when necessary in the line of their profession.

§ 21. This Act shall not prevent students from performing dental operations under the supervision of competent instructors within the dental school, college, or dental department of a university recognized by the Kentucky State Board of Dental Examiners: Provided, the board at its discretion may authorize the students of any dental college, dental school, or dental department of a university to practice dentistry, in any of the State or municipal institutions or public schools or under the board of health, or public clinic, or charitable institution; provided they are at all times under the direct supervision of a licensed dentist in Kentucky, who is an instructor of the institution at which the students are studying.

The provisions of this act are severable, and if any of its provisions shall be held unconstitutional the decisions of courts shall not affect or impair any of the remaining provisions of this act. It is hereby declared as a legislative intent that this act would have been adopted had not such unconstitutional provisions been included therein.

REPEALING FORMER DENTAL LAWS

§ 22. All laws or parts of laws in conflict with this Act are hereby repealed.

It was ordered that said bill be referred to the Committee on Public Health.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 200. An Act relating to schools and changing boundary line of graded common school districts.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. If at any time it becomes desirable to extend the

existing boundary of a graded common school district, a majority of the legal voters within the boundary of the territory sought to be annexed, may file with the board of trustees of the said graded common school district, a written petition, signed by said majority of legal voters within such proposed extended boundary, requesting said board of trustees of the graded common school district to order the extension in conformity to the petition.

The petition so filed shall set out the names of each and every legal voter in the boundary sought to be added, giving the number of pupil children in said boundary, together with a definite boundary (not necessarily by metes and bounds) of the boundary to be annexed territory.

§ 2. If it appears that the petition so filed complies with the foregoing requirements, it shall at once be the duty of the board of trustees of such graded common school district to enter an order annexing the boundary described in said petition, and declaring same to be a portion of their graded common school district, provided, however, that if within ten days after the entry of such order, a majority of the legal voters in said original graded common school district, file, in writing a protest against such extension, then the said order shall be set aside and held for naught, otherwise to remain in full force and effect.

§ 3. Since former laws with relation to the extension of graded common school districts were, by oversight, repealed by the General Assembly in 1922, and there has been no reenactment of same, and because of the further fact that in many parts of the Commonwealth, the right to extend graded common school districts would result in better educational facilities, and in order that such changes where desirable and ordered, may be made for the school year 1932-33, an emergency is declared, by the General Assembly, to now exist, and this enactment shall be and become effective upon its passage and approval.

§ 4. All laws and acts in conflict with this enactment are hereby repealed.

Senator Naive proposed the following amendment to said bill:

Amend Senate Bill 200 by adding after the word "annexed" and before the word "may" in Section 1 of the printed bill, the following: "After having first procured the written consent and approval of the County Board of Education."

Senator Naive moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Naive proposed the following amendment to said bill:

"Amend Senate Bill No. 200 by adding at the end of line 10, section 2, of printed bill the following: "Provided, however, no change whatever shall be made under this law without the written consent and approval of the County Board of Education,"

Senator Naive moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Ordered that said bill be read the third time.

Senator Allie W. Young moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	J. M. Rose
W. W. Booles	Silas Jacobs	Dr. Lewis Ryans
H. M. Brock	Alex E. Johnson	E. D. Stephenson
Edwin C. Dawson	Frank I. Lloyd	Joe Stewart
Dr. T. J. Edge	Rev. C. D. McCaw	Thos. O. Turner
Thos. C. Ferguson	C.T.McCormick,Sr.	Fred C. VanHoose
Walter N. Flippin	Wm. Mehler	F. M. White
Chas. G. Franklin	E. C. Moore	Sewell B. Williams
Perry B. Gaines	Ray B. Moss	W. A. Yates
Arch Hamilton	D. C. Naive	Allie W. Young
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys	O. M. Rogers	—35

Resolved that the title thereof be as aforesaid.

Senator Allie W. Young moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 265. An Act to regulate the distribution and sale, the selling or exposing for sale, of agricultural seed; defining same, providing for inspection thereof and fixing penalties for violation of this Act; naming the enforcing agent, prescribing his duties and empowering him to make rules and regulations necessary to carry out the intent and meaning of this Act; to

provide means for carrying out its provisions; and to repeal all laws or parts of laws in conflict with this Act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the term "agricultural seeds" or "agricultural seed," as used in this Act, shall be defined as the seeds of Canada bluegrass, Kentucky bluegrass, brome grass, fescues, millets, tall meadow oat grass, orchard grass, crested dogstail, redtop, Italian ryegrass, perennial ryegrass, grain sorghums, sweet sorghums, Sudan grass, timothy, alfalfa, alsike clover, crimson clover, red clover, sweet clover, white clover, Canada field peas, Austrian peas, cowpeas, soybeans, vetches, lespedeza sp., buckwheat, flax, hemp, tobacco, rape, seed potatoes, barley, corn of all kinds, oats, rye, wheat, lettuce, peas, tomatoes, beans, onions, cabbage, carrots, melons and other truck crop seeds, grasses, cereals and legumes which are sold, offered or exposed for sale within this State for seeding purposes within this State.

Label Requirements of Agricultural Seeds.

§ 2. Every lot of agricultural seeds, as defined in section one of this Act except as herein otherwise provided, when in bulk, packages or other container of one pound or more, shall have affixed thereto, in a conspicuous place on the exterior of the container of such agricultural seeds, a plainly written or printed tag or label in the English language, in a manner prescribed by the Director of the Kentucky Agricultural Experiment Station or his agent, stating:

(a) Commonly accepted name of such agricultural seeds.

(b) The approximate percentage by weight of purity; meaning, the freedom of such agricultural seeds from inert matter and from other seeds distinguishable by their appearance.

(c) The approximate total percentage by weight of weed seeds; the term "weed seeds," as herein used, being defined as the noxious weed seeds listed in Section 2, subsection (d) and all seeds not listed in Section 1 as agricultural seeds.

(d) The name and approximate number per ounce of each kind of the seeds or bulblets of the noxious weeds provided for in Section 2, subsection (d) of this Act which are present per ounce of agricultural seeds.

Noxious weed seeds or bulblets are defined as the seeds or bulblets of quack-grass (Agropyron repens), dodder (Cuscuta sp.), sorrel (Rumex acetosella), buckhorn (Plantago lanceolata), corn cockle (Agrostemma githago), wild onion (Allium vineale), Canada thistle (Cirsium arvense), and such other weeds as the Director of the Kentucky Agricultural Experiment Station or his agent may from time to time determine to be noxious and a menace to the best interests of the agriculture of Kentucky: Provided, however, that twelve months notice shall be given to the seed trade before any addition to the noxious weed seed list shall become effective.

(e) The approximate percentage of germination of such agricultural pure seeds designated together with the month and year said seeds were tested.

(f) Full name and address of the vendor of such agricultural seed.

(g) Name of State where such seed was grown, and if this is unknown, a statement to that effect.

Label Requirements of Mixtures of Agricultural Seeds.

§ 3. Mixtures of agricultural seeds which contain two or more kinds of such seeds each present in excess of five per cent by weight of the total mixture, when sold, offered or exposed for sale as mixtures, shall have affixed thereto, in a conspicuous place on the exterior of the container of such

mixtures of seeds, a plainly written or printed tag or label, in the English language, stating:

(a) That such seed is a mixture.

(b) The name and approximate percentage by weight of each kind of agricultural seed present in such mixture if in excess of five (5) per cent by weight of the total mixture.

(c) Approximate percentage by weight of total weed seeds as defined in Section 2-c of this Act.

(d) The name and approximate number per ounce of each kind of seeds or bulblets of the noxious weeds listed in Section 2, subsection (d) of this Act which are present.

(e) Approximate percentage of germination of each kind of agricultural seed present in such mixture if in excess of five (5) per cent by weight, together with the month and year said seed was tested.

(f) Full name and address of vendor of such mixture.

(g) Name of State where such seed was grown, and if this is unknown, a statement to that effect.

Label Requirements of Special Mixtures.

§ 4. Special mixtures of agricultural seeds except as specified in Section 3 of this Act, when sold, offered or exposed for sale as mixtures in bulk, packages or other containers of one pound or more shall have affixed thereto in a conspicuous place on the exterior of the container of such mixture a plainly written or printed tag or label in the English language, stating:

(a) That such seed is a mixture.

(b) The name of each kind of agricultural seed which is

present in proportion of five (5) per cent or more of the total mixture.

(c) The approximate total percentage by weight of weed seeds as defined in Section 2-c of this Act.

(d) Approximate percentage by weight of inert matter.

(e) The name and approximate number per ounce of each kind of seeds or bulblets of noxious weeds listed in Section 2, subsection (d) of this Act, which are present.

(f) Full name and address of the vendor of such mixture.

Certified Seed.

§ 5. Seeds, roots or tubers bearing the certified tag of any Growers' Association whose standards of purity and or germination are below those of the Kentucky Seed Improvement Association, shall not be sold or offered for sale in the State of Kentucky. Standards announced by the Secretary in the printed regulations governing the Kentucky Seed Improvement Association in June of each year shall be those prevailing for that month and the eleven succeeding months.

Exemptions.

§ 6. Agricultural seeds or mixtures of same shall be exempt from the provisions of this Act:

(a) When possessed, exposed for sale or sold for food or feed purposes only.

(b) When sold to merchants to be recleaned before being sold or exposed for sale for seeding purposes.

(c) When in store for the purpose of recleaning and not possessed, sold or offered for sale for seeding purposes within the State.

(d) When the seed is grown, sold and delivered by a producer on his own premises to the purchaser himself. If, however, the seed is advertised for sale by the public press, circular or catalogue, or if the seed is delivered by a common carrier, the seller shall be deemed a vendor and said seed and seller shall be subject to all the provisions and requirments of this Act.

Duties and Authority of Enforcing Officer.

§ 7. The duty of enforcing this Act and carrying out its provisions and requirements shall be vested in the Director of the Kentucky Agricultural Experiment Station or his agents. The said Director or his agent upon notice to the seed trade of this State, shall be empowered to adopt such rules and regulations as may be deemed necessary in order to secure the efficient enforcement of this Act; provided that the said Kentucky Experiment Station shall maintain a laboratory with the necessary equipment and shall employ such analysts, inspectors and assistants as may be necessary for the proper enforcement and carrying out of the provisions of this Act, and with the approval of the Board of Trustees of the University of Kentucky, the Director of the Kentucky Agricultural Experiment Station shall fix the salaries of said analysts, inspectors and assistants. It shall be the duty of the Director of the Kentucky Agricultural Experiment Station or his agents at his discretion, to publish, or cause to be published, the results of the examination, analysis and tests of any and all samples of agricultural seed or mixtures of such seed, drawn as provided for in Section 9, together with any other information he may deem advisable. The Director of the Kentucky Agricultural Experiment Station or his agent, is empowered to seize any seed sold in or offered for sale in Kentucky which is not properly labeled and hold same until proper labeling is effected by the shipper or seller of such seed.

§ 8. The word "approximate" as used in this Act shall be defined in the rules and regulations provided for in this Act, by the Director of the Kentucky Agricultural Experiment

Station or his agent who shall be guided by the "Rules and Methods of Testing" adopted and approved by the Association of Official Seed Analysts of North America.

Inspector, Sampling and Testing.

§ 9. It shall be the duty of the Director through his authorized agents, to inspect, examine and make analysis of and test any agricultural seeds sold, offered or exposed for sale within this State for seeding purposes within this State, at such time and place, and to such extent as he may determine. The Director, and his agents, shall have free access at all reasonable hours to any premises or structures, or any vehicle, truck or other carrier to make examination of any such agricultural seeds, whether such seeds are upon the premises of the owner or consignee of such seeds or on the premises or in possession of any warehouse, vehicle, truck, elevator or steamship company and he is hereby given authority in person or by his agents, to take for analysis a sample of such agricultural seeds. In case a sample upon test or analysis, is found to fall below the statement on the tag or label attached to the lot from which said sample was secured, or to violate any of the provisions of this Act, the vendor or consignee of said lot of seed shall be notified and a copy of said notice mailed to the person, firm or corporation whose tag or label was found affixed thereto.

Violations Defined.

§ 10. It shall be unlawful for any person, firm or corporation to sell, offer or expose for sale within this State any agricultural seeds, or mixtures of agricultural seeds, as defined in this Act, for seeding purposes within this State without complying with the requirements of this Act, or falsely to mark, label, or misrepresent any agricultural seeds, or to interfere in any way with the inspectors or assistants in discharge of the duties herein named.

Violations and Prosecutions.

§ 11. Every violation of the provisions of this Act shall

be deemed a misdemeanor punishable by a fine of not less than $25.00 and not more than $100.00 and if the Director of the Kentucky Agricultural Experiment Station or his agent shall find upon examination, analysis or test, that any person, firm or corporation has violated any of the provisions of this Act, he or his authorized agent or agents may institute proceedings in a court of competent jurisdiction to have such person, firm corporation convicted therefor, or the Director of his agent at his discretion may report the results of such examination to the Attorney General of Kentucky together with the sworn statement of the analyst, duly acknowledged, and such other evidence of said violation as he shall deem necessary. Provided, however, that no prosecutions under this Act, shall be instituted except in the manner following: when the Director of the Kentucky Agricultural Experiment Station or his agent finds that the Act has been violated, he shall give notice to the person or firm in whose hands the seed was found, designating a time and place for a hearing. This hearing shall be private and the person or firm involved shall have the right to introduce evidence either in person, or by agent, or attorney. If, after said hearing, or without such hearing, in case said person fails or refuses to appear, the said Director or his agent decides that the evidence warrants prosecution, he shall proceed as herein provided.

It shall be the duty of the Attorney General of Kentucky or at his discretion he may act through the Attorney of the Commonwealth of the County or District or City in which said violation has occurred, to institute proceedings at once in any court of competent jurisdiction against the person, or persons, firms or corporations charged with such violation.

In any prosecutions arising from this Act the analysis or test by the Kentucky Agricultural Experiment Station shall be final evidence of the true nature or condition of such seeds.

Provision for Free Tests.

§ 12. Any citizen of this State shall have the privilege of submitting to the Kentucky Agricultural Experiment Station

samples of agricultural seeds for test and analysis, subject to such rules and regulations as may be adopted by said Director of the Kentucky Agricultural Experiment Station. The Director may by such regulations fix the maximum number of samples that may be tested free of charge for any one citizen in any one period of time and fix charges for tests of samples submitted in excess of those tested free of charge. In case of non-residents of Kentucky, a fee for the test of purity and for germination shall be paid in advance to the Director of the Kentucky Agricultural Experiment Station, said fees to be fixed by the Director or his agent in accordance with rules and regulations set forth in Section 7 of the Act. All moneys received from such fees shall be paid over to the Treasurer of the Board of Control of said Station to be used in defraying the expenses of seed analysis.

§ 13. For the purpose of defraying the cost of inspection and analysis of agricultural seeds, the tags or labels specified in sections 2, 3 and 4 of this Act must be purchased from the Director of the Kentucky Agricultural Experiment Station or his agent who shall receive 8 cents each for 100 pound tags or labels, 6 cents each for 75 pound tags or labels, 4 cents each for 50 pound tags or labels and 2 cents each for 25 pound tags or labels for alfalfa, sweet clover, and all grass and clover seeds or mixtures of any of these, and 4 cents each for 100 pound tags or labels, 3 cents each for 75 pound tags or labels, 2 cents each for 50 pound tags or labels, 1 cent each for 25 pound tags or labels, for all other agricultural seeds included in this Act. Money collected by the Director of the Kentucky Agricultural Experiment Station or his agent from the sale of tags shall be paid into the treasury of the Kentucky Agricultural Experiment Station, the Board of Trustees of which shall expend the same in meeting the necessary expenses in carrying out the provisions of this act including the employment of inspectors, analysts and other assistants.

§ 14. The tag or label specified in sections 2, 3 and 4 of this act must be delivered to the purchaser with every sale of agricultural seed as defined in this act if said sale amounts to one pound or more whether said sale is in bulk or in package.

§ 15. If any section or provision of the Act shall be held invalid the remaining sections and provisions shall not thereby be affected, showing a legislative intention of adopting the Act by sections as well as a whole.

§ 16. An act entitled *An Act to regulate the sale of Agricultural and other seeds*, enacted by the General Assembly at its regular session of 1916, and any other laws or parts of laws in conflict with this Act, are hereby repealed.

§ 17. This Act shall be effective on and after July 1, 1932.

Senator Gaines proposed the following amendments to said bill:

1. Amend Senate Bill No. 265 as follows: Section 1, line 12, strike out the words "Within this State;" Section 6, line 8, strike out the words "Within this State;" Section 9, line 4, strike out the words "Within this State;" Section 13, line 14, between the words "expend" and "the," insert the words "so much as may be necessary of." Also, Section 13, after the end of line 16, add the sentence, "Any unexpected remainder thereof shall revert to the general fund of the State of Kentucky."

2. Amend Senate Bill No. 265, Section 2, line 3, strike out the words, "of one pound or more," and insert the words, "in excess of one pound." Section 3, line 3, between the words, "mixtures" and "shall," and insert the words, "in containers of more than one pound." Section 4, line 3, after the word "containers" strike out the words, "of one pound or more," and insert the words, "in excess of one pound."

3. Amend Senate Bill No. 265, Section 6, after line 14, add clause, "(e) Lawn grass seed mixtures sold in quantities of 5 pounds or less shall be exempt from paragraph (d) of Section 2, paragraph (d) of Section 3, and paragraph (e) of Section 4."

4. Amend Senate Bill No. 265, Section 10, line 3, strike out the words, "or misrepresent."

5. Amend Senate Bill No. 265, Section 11, lines 29, 30 and 31, strike out these lines entirely and substitute, "In any prosecution arising from this Act, a certified analysis or test by the Kentucky Agricultural Experiment Station shall be considered as competent evidence in any court of this State in any proceedings instituted under this Act, but upon motion of the accused, the analyst whose signature is attached to the certificate of analysis shall be required to appear as a witness and be subject to cross examination, or as a witness for the accused."

Senator Gaines moved the adoption of said amendments.

The question being taken thereon, was decided in the affirmative and

Said amendments were adopted.

Senator Stephenson proposed the following amendment to said bill:

Amend Senate Bill No. 265 by striking out the words: "Kentucky Agricultural Experiment Station, the Board of Trustees, of which," in line 13 and 14 of Section 12, of the printed bill, and substituting the following: "State of Kentucky and paid out on vouchers drawn by the Director of Kentucky Agricultural Experiment Station, who."

Senator Stephenson moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Ordered that said bill be read the third time.

Senator Gaines moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	Alex E. Johnson	J. M. Rose
Edwin C. Dawson	L. C. Littrell	Dr. Lewis Ryans
Dr. T. J. Edge	Frank I. Lloyd	E. D. Stephenson
Thos. C. Ferguson	Rev. C. D. McCaw	Thos. O. Turner
Walter N. Flippin	C.T.McCormick,Sr.	Fred C. VanHoose
Chas. G. Franklin	Wm. Mehler	F. M. White
Perry B. Gaines	E. C. Moore	Sewell B. Williams
Arch Hamilton	Ray B. Moss	W. A. Yates
J. S. W. Holloway	D. C. Naive	Allie W. Young
Robert Humphreys	Marion F. Pogue	Gates F. Young

—36

Those who voted in the negative were:

Joe Stewart —1

Resolved that the title thereof be as aforesaid.

Senator Gaines moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

H. B. 34. An Act to provide for the organization, regulation and government of the State Bar, and to provide for the licensing, regulation, discipline and disbarment of attorneys at law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. State Bar Defined. All persons who are now or shall hereafter be licensed and admitted to practice as attorneys at law of this Commonwealth under and pursuant to the laws of the Commonwealth now in force or hereafter enacted, shall constitute and be members of the State Bar, and shall be subject to the provisions of this Act, provided, however, that the provisions of this Act shall not apply to any person now licensed to practice law in this State who shall practice without compensation or award.

§ 2. Board of Commissioners Established. There is hereby established a Board of Commissioners of the State Bar, consisting of two members chosen from each of the Appellate Court Districts of the Commonwealth, to be selected at the times and in the manner hereinafter provided, which Board of Commissioners shall be known and designated herein as the board. The board shall have perpetual succession, use a common seal and be authorized to receive and hold property, money, gifts and bequests designed to promote the objects for which it is created and the improvement and development of the conditions surrounding or affecting the practice of the law. The board shall maintain an office, at Frankfort, Kentucky, which shall be open at all reasonable times, but it may hold sessions at any place in the State of Kentucky.

§ 3. Selection of Commissioners. The board shall be

elected by the members of the State bar, who shall vote by ballot. Each appellate district of the State shall be entitled to two commissioners on the board elected by members of the bar of each district. If, hereafter, additional appellate districts may be created, such additional districts shall each be entitled to two commissioners on said board. The first election of commissioners shall be held at the time mentioned in Section 4 hereof, at which time the entire board shall be elected. The commissioners so elected shall be divided into two groups of seven persons each, which groups shall hold office for one and two years, respectively; and each group shall have one commissioner from each appellate district. Thereafter there shall be an annual election for the purpose of selecting successors to those commissioners whose terms shall expire and for the purpose of filling vacancies on the board. In all elections the commissioners for the respective appellate districts shall be elected by the members of the State Bar residing in their respective districts.

§ 4. Elections of Board. For the purpose of holding the first election of commissioners hereunder the clerk of the Court of Appeals of this Commonwealth and two members of the State bar to be appointed by the Chief Justice of the Court of Appeals are hereby created an election and canvassing board. Said board shall within thirty days after this Act goes into effect

(a) Set a time for closing the nomination for said commissioners, which time shall be not less than thirty days from and after printed notice sent to members of the State Bar as provided in Subsection (b) of this section; and set a time for closing voting for said commissioners, which time shall be not less than sixty days from and after sending such notices.

(b) Send such notices by mail to all members of the State Bar so far as the names and addresses of said members can be obtained by said election and canvassing board, which notices shall advise the members of the dates mentioned in paragraph (a) hereof, and of the purpose and method of holding said election.

(c) Receive all nominations and from the same prepare a sufficient number of printed ballots containing the names of all persons nominated in the respective appellate districts, according to the provisions of Section 5 hereof, one of which ballots shall be mailed to each member of the State Bar, whose name and address can be obtained, as aforesaid, at least fifteen days before the time fixed for closing the voting. The ballots shall be so prepared and issued as to submit to the members of the State Bar of the respective appellate districts the names of the candidates nominated in their districts. All ballots shall be either deposited in person or by mail with the clerk of the Court of Appeals.

(d) Receive and canvass the vote and certify the names of the two candidates receiving the highest number of votes in each appellate district to be the first board.

(e) Make a record in the office of the clerk of the Court of Appeals of the said election and notify each member of the board of his election within five days thereafter.

All subsequent elections shall be held annually by printed ballot in the same manner and according to the same rules as the first election excepting that they shall be conducted by the Board of Commissioners, which board shall have power to appoint an election and canvassing board of three members outside of its own membership, and shall also have power to prescribe regulations for the time of holding and for the conduct of such elections not in conflict with the provisions of this Act.

§ 5. Nominations for Commissioner. Nominations to the office of commissioner shall be written petition signed by not less than twenty members of the State Bar in good standing. Any number of candidates may be nominated on a single petition, and any number of petitions may be filed, but all candidates named on a petition and all persons signing same shall be residents of the same appellate district. For the purpose of the first election the petitions shall be de-

posited with or mailed to the clerk of the Court of Appeals. Thereafter all petitions shall be mailed to the secretary of the board at and within the time fixed by the rules of the board.

§ 6. Organization of the Board. On the fourth Tuesday next following the certification of their election the members of the board shall meet in the city of Frankfort, Kentucky, and determine by lot which of its members shall compose the group holding office for one year and which for two years. They shall then organize by the election of a secretary, who shall serve until the first meeting of the board held after the next election of the members of the board or until his successor shall be elected and qualified. Thereafter said board shall elect annually at the first meeting of the board held after an annual election of the commissioner, such secretary who shall serve until the successor shall be elected and qualified. Said secretary may or may not be a member of the board and his duties shall be such as is prescribed by the board.

§ 7. Election of Officers by the State Bar. The State Bar at its first meeting after the passage of this Act shall elect a president, a first and second vice-president, who shall hold office and serve until the next annual meeting of the State Bar Association, or until their successors are elected and qualified and the State Bar shall annually thereafter elect such president, first and second vice-president, who shall serve until their successors shall be elected and qualified.

The said president, first and second vice-president shall be ex-officio members of the board and the president shall preside over all meetings of the board and shall have the right to vote upon all questions before the board. The first and second vice-presidents shall have the right and authority to meet with the board, but shall not have the right to vote upon any question or questions before the board except in the absence of the president, when the first vice-president shall have all the authority and duties imposed upon the president,

and in the event of the absence of the president and first vice-president said second vice-president shall have all of the authority and duties imposed upon the president and first vice-president.

For the purposes of electing a president, first and second vice-president, the board shall as soon as practicable after the passage of this Act, call a meeting of the State Bar Association for the purposes of electing said president, first and second vice-president, who shall serve until the next annual meeting of the State Bar, or until their successors are elected and qualified.

§ 8. Authority of Board. The board shall have power to make rules and by-laws, not in conflict with this Act, for the government of the board and regulating the selection and tenure of its officers and committees and their powers and duties, and generally for the control and regulation of the business of the board and of the State Bar, including the power to promote or maintain the printing and distribution of legal magazines, pamphlets and other publications designed to educate and inform the State Bar and the public.

§ 9. Regulation, Discipline and Disbarment of Members. The board shall also have power, subject to the approval of the Court of Appeals, to make rules and regulations governing the professional conduct of all members of the State Bar. The board shall have power to investigate and pass upon all complaints which may be made concerning the professional conduct of such members, and may investigate and pass upon such matters of its own motion.

Such complaints shall be in writing and shall be filed with the secretary of the board. Upon the filing thereof, a time and place for the hearing of same shall be fixed by the board, provided, however, that said hearing shall be conducted at a place within the appellate district wherein the party complained of resides, except by consent of both parties; and provided, further, that the party complained of shall have

not less than ten days' written notice of the time and place of said hearing. The board shall then proceed to hear same, or may constitute and appoint a committee from its number, to consist of three or more members, which committee shall have power to conduct such hearing. The testimony at such hearing may be given orally or by deposition, subject to the same limitations and exceptions regarding the taking and use of depositions as may exist in the trial of ordinary actions at law. All the evidence adduced by the parties at the hearing shall be reduced to writing, and from such evidence the board shall render such award as may be proper.

The board may, if the evidence justifies such a course, take such disciplinary action by public or private reprimand as the case may in its judgment warrant. In all cases where the board shall find that the party complained of should be suspended from practice, or excluded or disbarred therefrom, a copy of the award, together with a statement of the costs incurred by the board in conducting such investigation, shall be filed within ten days after same is rendered in the office of the Clerk of the Circuit Court of the county of the residence of the accused, and the Clerk of said Court shall enter said case on the docket thereof for trial. Thereupon summons shall be issued, as in other cases, directed to the party against whom the award shall have been rendered, requiring said party to appear in said court within the time allowed in ordinary cases and show cause why said award shall not be enforced. If such party fails to appear judgment shall be rendered by default, which judgment shall include the costs incurred by said board in conducting said investigation and in the said court, and the court shall proceed to enforce same, except as hereinafter provided. If a trial is demanded, the case shall be tried in all respects as now provided by law in actions of disbarment in the Circuit Court, provided that no evidence shall be introduced by either party excepting that heard by the board, or its committee, unless the court shall be satisfied by affidavits that the additional evidence could not have been produced before the board, or its committee, by the exercise of reasonable diligence. Said court shall enter

judgment affirming, modifying or setting aside the award of the board, including judgment for costs, as aforesaid, or it may, in its discretion, remand the case to the board for further proceedings in conformity with the direction of the court.

Either party may take an appeal from the judgment of the Circuit Court to the Court of Appeals, and the procedure on such appeals shall be the same as now provided by law so far as same may be applicable to and not conflict with the provisions of this Act.

The Attorney General of this Commonwealth shall act as attorney for the board in all such cases before the board, and in the Circuit Court and the Court of Appeals.

Nothing this section or Act contained shall be construed as limiting or altering the power of the courts of this State to discipline or disbar members of the State Bar as this power at present exists.

§ 10. Power of Subpoena. In any investigation or hearing provided for herein, the board and any committee appointed by it for this purpose, shall have power to summon and examine witnesses under oath and compel their attendance and the production of books, papers, documents and other writings necessary or material to the inquiry. Such summons or subpoena shall be issued under the hand of the secretary of the board or the chairman of any duly constituted subcommittee of the board, and shall have the force of a subpoena issued by a court of competent jurisdiction, and any witness or other person who shall refuse or neglect to appear in obedience thereto, or who shall refuse to be sworn or testify or produce books, papers, documents or other writings demanded, shall be liable to attachment upon application to any judge of the Circuit Court for the district where the investigation is conducted, as in cases of contempt.

§ 11. Rights of Accused Member. Any member of the State Bar complained of shall at any investigation or hearing

have full opportunity to defend by the introduction of evidence and the cross examination of witnesses called against him, and the right to be represented by counsel. He shall also have the right to require the secretary of the board to summons witnesses to appear and testify or produce books, papers, documents, or other writings, necessary or material to his defense in like manner as above provided.

§ 12. Record of Proceedings. A complete record of the proceedings and evidence taken by the board or any committee, shall be preserved by the board, but it may, where sufficient reason appears and the accused gives his consent, cause the same to be expunged.

§ 13. License Fees. All members of the State Bar shall on or before the first day of July in each year pay into the State Treasury, as a license fee for the ensuing fiscal year, the sum of five dollars. Said fees shall constitute a fund to be held and disbursed by the State Treasurer upon the order of the board. As soon as practicable after the first day of July in each year the State Treasurer shall certify to the secretary of the board the names of all attorneys who have paid such license fees. If any attorneys shall be in default for payment, the secretary of the board shall send them written notices of such fact, and if they remain in default for sixty days thereafter, without good excuse, they shall not be recognized in voting or in the transaction of business by the State Bar as being in good standing, nor shall they have the right to practice or carry on the calling of a lawyer in this Commonwealth.

§ 14. Disbursements. For the purpose of carrying out the objects of this Act, and for the exercise of the powers herein granted, the board shall have power to make orders concerning the disbursement of said fund, but no member of the board except the secretary shall receive any compensation other than his actual necessary hotel and traveling expenses connected with attending meetings or hearings held or conducted by said board or its committees. The State Treas-

urer is directed to pay money out of the fund hereinabove provided for, upon the order of the secretary of the board, countersigned by the president of the board.

§ 15. Annual Meeting of Bar. There shall be an annual meeting presided over by the president of the State Bar, open to all members thereof in good standing, which shall be held at such place and time as the board may designate, for the discussion of the affairs of the State Bar and of the administration of justice, and for the election of a president, first and second vice-president.

§ 16. Unlawful Practice of Law. If any person, who has not become duly licensed to practice, or who is not a member of the State Bar in good standing, or whose license to practice shall have terminated either by disbarment, suspension or otherwise, shall practice or assume to act or hold himself out to the public as a person qualified to practice or carry on the calling of a lawyer, he shall be guilty of a misdemeanor under this Act, and, on conviction thereof, be fined not to exceed five hundred dollars, or be imprisoned for a period not to exceed six months, or both.

§ 17. Provisions of Act Severable. The provisions of this Act are severable, and if any of its provisions shall be declared unconstitutional, such decision shall not affect or impair any of the remaining portions of this Act, it being the intention of the General Assembly, in enacting this Act, to enact each section, subsection, paragraph, clause, provision and requirement separately.

§ 18. Act to be Liberally Construed. This Act and each of its various sections, subsections, paragraphs, clauses, provisions and requirements shall be liberally construed in favor of the purposes of this Act.

§ 19. Repealer. All laws and parts of laws in conflict herewith are hereby expressly repealed.

Senator Gates F. Young proposed the following amendment to said bill:

Amend House Bill 34 in Senate by adding to Section 1 of said bill at the end of line 8 on page 1 thereof the following: "Provided, however, none of the provisions of this Act shall become effective or enforceable against any person now engaged in the practice of law, until by a majority vote of the attorneys of record on the rosters of the Circuit Court Clerks of the State as practicing in the Circuit Courts of the State and members of such bar in each Circuit Court district, shall have by written ballots filed with the Clerk of the Court of Appeals, shall have indicated it is the sense of a majority of the members of such bar in each Circuit Court district that the provisions of this Act should become effective."

Senator Young moved the adoption of said amendment.

The yeas and nays being required thereon by Senators Hamilton and Rose, resulted as follows:

Those who voted in the affirmative were:

Jas. H. Bondurant	L. C. Littrell	Joe Stewart
H. M. Brock	Frank I. Lloyd	Fred C. VanHoose
Edwin C. Dawson	Rev. C. D. McCaw	F. M. White
Walter N. Flippin	C.T.McCormick,Sr.	Sewell B. Williams
Arch Hamilton	Wm. Mehler	W. A. Yates
Silas Jacobs	J. M. Rose	Gates F. Young
Alex E. Johnson	E. D. Stephenson	—19

Those who voted in the negative were:

W. W. Booles	Robert Humphreys	O. M. Rogers
Chas. G. Franklin	E. C. Moore	Dr. Lewis Ryans
Perry B. Gaines	D. C. Naive	E. D. Stephenson
J. S. W. Holloway	Dr. G. W. Ragan	—11

Senator Ryans moved that said bill and its amendments be laid on the table.

The question being taken thereon, was decided in the affirmative.

Therefore, said bill was laid on the table.

The Senate took up as a special order for this hour a bill of the following title:

S. B. 51. An Act to amend and re-enact Section 4 of Chapter 49 of the 1930 Acts of the General Assembly of the Commonwealth of Kentucky.

To Committee on Suffrage and Elections.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4 of Chapter 49 of the 1930 Acts of the General Assembly of the Commonwealth of Kentucky be amended and re-enacted by striking therefrom the following language, to-wit:

"When the hour for closing the polls shall arrive, any voter or voters, then and there present or near the polls and desiring to vote, the officers of the election shall permit such voter or voters to vote, and shall for that purpose, extend the time, not exceeding thirty minutes, or until all such voters have voted. After all voters have voted, and the time to close has arrived,"

And by inserting in lieu thereof the following words and figures, to-wit:

"When the hour of 4:00 p. m. has arrived," so that said section, amended and re-enacted, shall read as follows, to-wit:

"Sec. 4. When the hour of 4:00 p. m. has arrived, the

officers shall announce the same at the door of the voting room and close the polls. They shall then go and take charge of the ballot box, at the booth, and in the presence of each other shall place the lock on the small vent lid and securely lock it, and return the key to the county clerk. Said election officers shall then stamp upon all unused stubs and ballots, with rubber stamp or by writing on the stub and the ballot attached thereto, the word 'unused' and place said stub or ballot book and all other utensils or election material into a linen envelope, to be provided by the county clerk for that purpose, and shall seal with sealing wax across the seal of the envelope and place the county election seal upon said wax, so as to make the letters plainly visible in three different places on said envelope, and each officer shall write his name across said sealed portion of said envelope. The officers of election shall immediately deliver the ballot box and the envelope containing the unused ballots to the county clerk. The judge and the sheriff of election, of opposite political faith, shall forthwith convey said ballot box and envelope to the county clerk's office, taking his receipt therefor. Said officers shall see that no person other than themselves has access to, or custody of, said ballot box, and they shall each remain in the presence of the other, until said box and envelope is delivered to the county clerk.

"The ballot box shall remain locked, from the time it leaves the county clerk's office and is returned to said office, and until the county election commissioners shall unlock the same for the purpose of counting the ballots as herein provided.

"The county court clerk, upon receiving said ballot box and envelope from the election officers, shall receipt for the same and shall place said ballot boxes and envelopes in a secure and substantial place and shall keep a sufficient guard over said boxes and envelopes in a careful and painstaking manner until all the ballots have been counted by the election commissioners and those acting with them. Provided, that the chairman of each of the two dominant political parties,

shall have the right, and each candidate to be voted for, at any election, may designate one or more persons to assist the county clerk and other guards, to guard the safety of the ballots in said clerk's office. The county clerk shall assist the county election commission, and shall act a its clerk, in the counting and certifying of the ballots and the results of said election, for which he shall receive compensation to be allowed by the fiscal court.

"The county election commission, for the purpose of counting the ballots and issuing certificates and making reports, shall meet on the first week-end after any primary or general election at 10 o'clock on said day in the office of the county clerk, and proceed as speedily as practical, to count the ballots of every precinct in such county and at the finish of each and every precinct they shall announce the result at the door of the clerk's office and they shall fill out the blank in the back of the stub book provided for that purpose and each commissioner shall sign the same on a blank provided for that purpose.

"The election commissioner is authorized to employ at county expense, such clerical help as said commission may deem necessary to make said count, and shall remain continuously in session, until each and every precinct has been counted and the result ascertained. Sundays and legal holidays excepted. There shall be provided by the county clerk a large sheet upon which to tabulate the vote of the whole county, district or municipality, so that each candidate can ascertain the number of votes in each precinct and the total number in the election unit, cast for him. If any ballots are found mutilated, defaced, marked, or spoiled or otherwise questionable so that they are of doubtful integrity, the commission shall put all such ballots in a sealed envelope after writing on them and each of them, whether they have been counted, and for whom.

"In any general or primary election held in this State or any county, district or municipality, the same procedure shall

prevail and the county election commission shall count and certify the result in the manner herein provided.

The said election commission shall issue to successful candidates for office or nominations, their certificates of election or nominations in all county, magisterial districts or any subdivision of any county and shall certify the result of the election in their said county, to the Secretary of State in all elections or nominations, to be made for State and district officers and nominations.

"In all general elections the governing authority of each political party, and in all primary elections, each group of candidates for office may designate to the county election commission, one representative each to meet with the county election commission, as herein provided, and it shall be the duty of said commission to permit said representative to assist in, and witness the count of the ballot in all the precincts of such county and each and all of said commissioners and said representatives, so designated, shall have equal and full opportunity to inspect and count said ballots, and it shall be unlawful for any county election commission or a majority thereof, to refuse to permit said representative to exercise full and free action in witnessing the count of said ballots and any interference with, or refusal, on the part of said election commission, or either of them, to permit said representatives, either of a political party, or of a candidate, or list of candidates, to have a free and full opportunity to witness and observe the counting of said ballots, shall be guilty of a high misdemeanor, and upon conviction thereof shall be fined not less than one thousand dollars nor more than two thousand dollars or imprisoned in the county jail not less than six months nor more than twelve months in the discretion of the jury.

"The county election commission after fifteen days, provided no contest is filed in any race against any candidate, shall return the keys to said ballot boxes, to the county court clerk, but if any such contest, either of nominations or elec-

tions, has been filed, said commissioners shall hold said keys subject to the orders of the court trying such contest.

"This Act shall govern both the conducting, holding, counting of ballots, and certifying of returns, in general and primary elections.

"Nothing herein contained shall be construed to prevent the election commissioners in counties having cities of the first, second and third class from employing extra tabulators, who under their supervision and responsibility may expedite the counting of the ballots."

§ 2 All Acts, or parts of Acts, in conflict herewith, are hereby repealed.

Senator Brock proposed the following amendment to said bill by the way of a substitute therefor, as follows, viz.:

S. B. 95. An Act to amend and re-enact Section 1482 of the Baldwin's 1931 Supplement to Carroll's Kentucky Statutes, and being Section 4 of Chapter 49 of the Acts of the General Assembly of the Commonwealth of Kentucky at its 1930 session.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Section 1482 of Baldwin's 1931 Supplement to Carroll's Kentucky Statutes, and which is Section 4 of Chapter 49 of the Acts of the General Assembly of the Commonwealth of Kentucky at its 1930 session be amended and re-enacted so that when so amended it will read as follows:

"Section 4. When the hour for closing the polls shall arrive, any voter or voters, then and there present or near the polls and desiring to vote, the officers of the election shall permit such voter or voters to vote, and shall for that purpose, extend the time, not exceeding thirty minutes. After all

voters have voted, and the time to close has arrived, the officers shall announce the same at the door of the voting room and close the polls. They shall then go and take charge of the ballot box, at the booth, and in the presence of each other shall place the lock on the small vent lid and securely lock it, and return the key to the county clerk. Said election officers shall then stamp upon all unused stubs and ballots, with rubber stamp or by writing on the stub and the ballot attached thereto, the word 'unused' and place said stub or ballot book and all other utensils or election material into a linen envelope, to be provided by the county clerk for that purpose, and shall seal with sealing wax across the seal of the envelope and place the county election seal upon said wax, so as to make the letters plainly visible in three different places on said envelope. The officers of election shall immediately deliver the ballot box and envelope containing the unused ballots to the county clerk. The judge and the sheriff of election, of opposite faith, shall forthwith convey said ballot box and envelope to the county clerk's office, taking his receipt therefor. Said officers shall see that no person other than themselves has access to, or custody of, said ballot box, and they shall each remain in the presence of the other, until said box and envelope is delivered to the county clerk.

"And any violation by them of any duty imposed upon them by this section with reference to such conveyance shall render them guilty of a misdemeanor and upon conviction thereof they shall be punished by a fine of not less than $500.00, nor more than $1,000.00 or imprisonment in the county jail for not less than sixty nor more than one hundred days, or both so fined and imprisoned within the discretion of the jury trying the case. Said officers shall also upon delivery to the county court clerk of the ballot box and the poll books, certificates and the envelope containing the spoiled, mutilated and questioned ballots and the keys to the ballot box, together with the county election seal, each make an affidavit and file it with the county court clerk stating in substance that neither they nor anyone else took from the ballot box while in their custody any ballot or put into

it any ballot, or in any manner whatever tampered with the contents of the ballot box and that it and its contents as well as all of the articles delivered by them to the county court clerk were and are in the same identical condition as when taken charge of by them at the closing of the polls, and for any false statement made in such affidavit the one so making it shall be subject to indictment and prosecution for false swearing and punished accordingly.

"The ballot box shall remain locked, from the time it leaves the county clerk's office and is returned to said office, and until the county election commissioners shall unlock the same for the purpose of counting the ballots as herein provided.

"The county court clerk, upon receiving said ballot box and envelope from the election officers shall receipt for the same and shall place said ballot box and envelopes in a secure and substantial place and shall keep a sufficient guard over said boxes and envelopes in a careful and painstaking manner until all the ballots have been counted by the election commissioners and those acting with them. Provided, that the chairman of each of the two dominant political parties, shall have the right, and each candidate to be voted for, at any election, may designate one or more persons to assist the county clerk and other guards, to guard the safety of the ballots in said clerk's office. The county clerk shall assist the county election commission, and shall act as its clerk, in the counting and certifying of the ballots and the results of said election, for which he shall receive compensation to be allowed by the fiscal court.

"The county election commission, for the purpose of counting the ballots and issuing certificates and making reports, shall meet on the first week-day after any primary or general election at 10 o'clock on said day in the office of the county clerk, and proceed as speedily as practical, to count the ballots of every precinct in such county and at the finish of each and every precinct they shall announce the result at

the door of the clerk's office and they shall fill out the blank in the back of the stub book provided for that purpose and each commissioner shall sign the same on a blank provided for that purpose.

"The election commission is authorized to employ at county expense, such clerical help as said commission may deem necessary to make said count, and shall remain continuously in session, until each and every precinct has been counted and the result ascertained, Sundays and legal holidays excepted. There shall be provided by the county clerk a large sheet upon which to tabulate the vote of the whole county, district or municipality, so that each candidate can ascertain the number of votes in each precinct and the total number in the election unit, cast for him. If any ballots are found mutilated, defaced, marked or spoiled or otherwise questionable so that they are of doubtful integrity, the commission shall put all such ballots in a sealed envelope after writing on them and each of them, whether they have been counted, and for whom.

"In any general or primary election held in this State or any county, district or municipality, the same procedure shall prevail and the county election commission shall count and certify the result in the manner herein provided.

"The said election commission shall issue to successful candidates for office or nominations, their certificates of election or nominations in all county, magisterial districts or any subdivision of any county and shall certify the result of the election in their said county, the Secretary of State in all elections or nominations, to be made for State and district officers and nominations.

"In all general elections the governing authority of each political party, and to all primary elections, each group of candidates for an office, may designate to the county election commission, one representative each to meet with the county election commission, as herein provided, and it shall be the

duty of said commission to permit said representative to assist in, and witness the count of the ballot in all the precincts of such county and each and all of said commissioners and said representatives, so designated, shall have equal and full opportunity to inspect and count said ballots, and it shall be unlawful for any county election commission or a majority thereof, to refuse to permit said representative to exercise full and free action in witnessing the count of said ballots and any interference with, or refusal, on the part of said election commission, or either of them, to permit said representatives, either of a political party, or of a candidate, or group of candidates, to have a free and full opportunity to witness and observe the counting of said ballots, shall be guilty of a high misdemeanor, and upon conviction thereof shall be fined not less than one thousand dollars nor more than two thousand dollars or imprisoned in the county jail not less than six months nor more than twelve months in the discretion of the jury.

"The county election commission after fifteen days, provided no contest is filed in any race against any candidate, shall return the keys to said ballot boxes to the county clerk, but if any such contest, either of nominations or elections, has been filed, said commissioners shall hold said keys subject to the orders of the court trying such contest.

"This Act shall govern both the conducting, holding, counting of ballots, and certifying of returns, in general and primary elections.

"Nothing herein contained shall be construed to prevent the election commissioners in counties having cities of the first, second and third class from employing extra tabulators, who under their supervision and responsibility may expedite the counting of the ballots."

§ 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

With the following amendments to said substitute:

Amend printed substitute bill, Section 4, line 10, by striking out the words, "and the time to close has arrived," and inserting in lieu thereof, the following: "or the full thirty minutes of extension has expired."

Also, amend printed substitute, Section 4, page 4, line 78, by striking the word "and" between the words "court" and "shall" and insert in lieu thereof, the following: "Provided, the Fiscal Court by order, shall fix the number and the compensation of such employees, who."

Senator Allie W. Young moved that said bill be made a special order for Wednesday, February 10, at 11 o'clock A. M.

Said motion was agreed to.

Senator Ryans moved that the Senate recess until 1:30 o'clock P. M.

Said motion was agreed to.

The Senate reconvened at 1:30 o'clock P. M.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 30. An Act to repeal and re-enact Section No. 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

Senator Stewart moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and further providing for definition of terms used, enforcement of and penalty for violation of this act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 145. An Act to amend, an act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky. Passed March 1912.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 57. An Act to repeal and re-enact Section 2290-B, Carroll's Kentucky Statutes, addition the same being Chapter 123 of the Acts of the General Assembly of 1910, providing that eight (8) shall constitute a day for laborers and mechanics employed on all public works in this Commonwealth, and providing for the enforcement of and penalties for violation thereof.

Senator Rose moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 107. An Act relating to jailers and providing for the consolidation of the office of jailer with that of the sheriff, providing that the duties of the jailers in each county of the Commonwealth of Kentucky shall be performed by the sheriff of the county, and providing for compensation for the sheriff for performing his duties as jailer of each county of the Commonwealth of Kentucky, and providing for the dieting of prisoners confined in the county jail in each county of the Commonwealth of Kentucky; and repealing Section 1730, Section 2231 and 2232, Carroll's Kentucky Statutes, 1930 Edition.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 170. An Act defining school districts; setting out powers and duties of boards of education therein; indicating procedure relating to the organization, control and operation of the common schools therein; providing for the general welfare of the public schools of the Commonwealth; providing for a uniform census every three years; exempting school pupils from toll on roads, bridges and ferries; repealing various scattering provisions of old law relating to division boards of education and other provisions covered by this Act or not consistent with it, as follows: Sections 4426-1, 4426a-1, 4426a-2, Kentucky Statutes, Carroll's 1930 Edition; Sections 79, 82, 85, and 86 of Chapter 24, Acts of 1916; Section 3, Chapter 82, Acts of 1926; Section 87, Chapter 24, Acts of 1916 as amended by Section 3, Chapter 138, Acts of 1918; Section 88, Chapter 24, Acts of 1916; Sections 4404, 4449, 4434a-3, 3476a, 3587a-26, 3235a-38, 2978a-35, 4523, 4369, 4473, 4474, 4526b-2, 4526b-3, 4407, 4440a, and 4445, Kentucky Statutes, Carroll's 1930 Edi-

tion; Section 1, Chapter 37, Acts of 1922; Sections 57 and 118, Chapter 24, Acts of 1916; Chapter 80, Acts of 1926; Sections 58, 59, 60, 62, 93, 100, 101, 102, 105, 106, 107, 112, 119, 122, 123, 125, and 135, Chapter 24, Acts of 1916; Sections 2 and 3, Chapter 37, Acts of 1922; Section 3, Chapter 139, Acts of 1918; Section 3587a-18, Kentucky Statutes, Carroll's 1930 Edition; Section 14, Chapter 36, Acts of 1920; and Sections 126, 127, 204, 205 and 208 of Chapter 24, Acts of 1916, Sections 4448 and 4519, Kentucky Statutes, Carroll's 1930 Edition; and Chapter 6, Acts of 1920.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of three hundred dollars or less, secured or unsecured, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest, discount, consideration, or charge than six per centum per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars or less, providing for the administration of this Act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and finds of the banking commissioner under this Act, and repealing so much of Section 4224a, Carroll's Kentucky Statutes, 1930, as applies to persons licensed under this Act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes, 1930, and repealing all acts and parts of acts in conflict with the provisions of this act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 172. An Act defining plumbing, master plumber and journeyman plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to qualified registered master plumbers and registered journeyman plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky; and also granting to the State Board of Health of Kentucky the power to adopt and promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating the kind of materials and fixtures including supply pipes, waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this act and providing penalties for violation of the provisions of this act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

ENROLLMENT REPORT

Senator Stewart, of the Committee on Enrollment, reported that they had examined and found correctly enrolled, bills and resolutions which originated in the Senate, of the following titles:

H. B. 54. An Act to amend and re-enact Section 199a of Carroll's 1930 Kentucky Statutes, and being Chapter 143 of the Acts of the General Assembly of the Commonwealth of

Kentucky, enacted at the 1906 session thereof, and entitled, "An Act to regulate Burial Associations, corporations and companies doing business in the State of Kentucky," as amended by "Chapter 72 of the 1908 Acts of the General Assembly of the Commonwealth of Kentucky," entitled "An Act to regulate Burial Associations, corporations, and companies doing business in the State of Kentucky, which Act became a law March 24, 1906, without the approval of the governor.

H. B. 63. An Act to repeal Sections 6, 7, 8, 9, 10 and 26 of Chapter 92 of the Acts of the General Assembly of 1914, being a portion of the Act providing for the Commission Form of Government for cities of the Third Class, and the Sections repealed by this Act are now Sections 3480b-6, 3480-7, 3480-8, 3480-9, 3480-10 and 3480-26 of Carroll's Kentucky Statutes, 1930 Edition, and providing in lieu thereof, that the Mayor, Commissioners, Police Judge and Prosecuting Attorney of the Police Court of cities of the Third Class, shall be nominated and elected as now provided by law for the nomination and election of state and county officers.

Whereupon all other business was suspended; said bills were read at length and compared in open Senate, and were found to be correctly enrolled. Thereupon, the President of the Senate, in open session. in the presence of the Senate, affixed his signature to said bills and resolutions.

Ordered that the Enrolling Clerk deliver said bills to the House of Representatives.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 112. An Act relating to Grand Juries and amending and re-enacting Sections 2249, 2251, Carroll's Kentucky Statutes, 1930 Edition.

Senator Franklin moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 33. An Act to amend and re-enact Section 965-35, Kentucky Statutes, 1930, Carroll's Edition, as amended by Chapter 29, 1930 Acts of the General Assembly of the Commonwealth of Kentucky, relating to circuits and fixing the time for holding court in the 35th Judicial District of the Commonwealth of Kentucky, composed of Pike and Letcher Counties, and declaring an emergency.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 260. An Act repealing and re-enacting Sections 4130, 4135, 4143, 4147 and 4148 of Carroll's Kentucky Statutes, 1930 Edition, which sections relate to revenue and taxation, and repealing all acts, parts of acts, and laws in conflict with this act.

Senator Moore proposed the following amendment to said bill:

Amendment 1.

Amend printed Senate Bill 260 by striking out in line 6 and 7 of Section 5 the words "or before the last day of February" and insert in lieu thereof the words "the thirty-first day of December."

Also by striking out of line 9 in Section 5 of said bill the words "last day of February" and insert in lieu thereof the words "thirty-first day of December."

Also by striking out of line 11 in Sub-section 5, the words "last day of February," inserting in lieu thereof the words "the thirty-first day of December."

Also amend by striking out the words beginning with the word "providing" in line 12 of Sub-section 5 down to and including the words "taxes" in line 19, and inserting in lieu thereof the following: "Provided however, every taxpayer shall be given until the first day of February to pay his taxes without the payment of any interest or penalty, who shall take or subscribe to oath before he becomes delinquent that he does not and will not, prior to the first day of January, following, have available money with which to pay his taxes. The oath herein provided for shall be stamped or printed on the face of the tax receipt and the sheriff or an authorized tax collector is authorized to and shall administer said oath without charge upon application of any taxpayer. Any taxpayer failing to take and subscribe to the oath on his individual tax receipt on or before the thirty-first day of December after his taxes become due, shall not be entitled to the extension of time herein provided for. Providing any taxpayer who pays his or her or its State, county or district taxes on or before September 1, after same becomes due in any year shall be entitled to 2% discount thereon and the collector in case of all such payments will allow such reductions and give a receipt in full to the taxpayer. The sheriff or collector whose duty it is to receive or collect the taxes shall collect the interest and penalty and account for the same in the same way in which they are required to collect and account for the taxes."

Senator Moore moved the adoption of said amendment.

The question being taken thereon was decided in the negative and said amendment was rejected.

Senator Stephenson proposed the following amendment to said bill:

Amend Senate Bill 260, by adding at the end of Section

2 of the printed bill the following: The income of the sheriff arising from commission on taxes collected after his term expires shall be construed to be income earned during the last year of his regular term.

Senator Stephenson moved the adoption of said bill.

The question being taken was decided in the affirmative and said amendment was adopted.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4130 of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed and re-enacted, so that said section when thus repealed and re-enacted shall read as follows:

"The sheriff or collector shall, on or before the first day of June next succeeding his election, and on or before said day annually thereafter, enter into bonds with surety for the faithful performance of his duties as revenue collector. A quietus by the auditor of public accounts, and from the fiscal court of this county for the preceding year following the first one shall be produced by each sheriff or collector of the county court on or before that day, and no tax-book shall be delivered to the sheriff or collector after the first year of his term who shall fail to exhibit such quietus on or before that date. He may execute bond at any time after he qualifies, up to and including the first day of June succeeding his election, and it shall be the duty of the judge of the county court to hold a court at any time the sheriff may request for that purpose.

The county judge shall judge of the sufficiency of the surety, and in no case shall sureties be taken who are not jointly worth, subject to execution after the payment of all

their debts and liabilities, a sum equal to the aggregate amount of money which may probably be received by the sheriff or collector during the year succeeding the execution of the bond.

The Commonwealth, the county and taxing district shall have a lien from the date the sheriff begins to act upon the real estate of the sheriff therein secured or afterward acquired by him, which shall not be discharged until the whole amount of money collected by the sheriff or collector, or for which he may be liable to them respectively, shall have been paid, and the same lien shall exist upon the real estate of a usurper of the office of sheriff or collector, or a de facto sheriff or collector, or any person who may act as sheriff or collector, provided, however, that if in any county the tax records are destroyed by fire, lost, stolen, or mutilated, so as to require a reassessment of the property in any county or recertification of the tax bills, that the sheriff in such counties shall have five months from the time he receives said re-certified tax bills within which to make the settlements with the fiscal court and auditor as herein provided and to execute the bond referred to in this section, and to receive his quietus from the auditor of public accounts and from the fiscal court of his county for the preceding year.

§ 2. That Section 4135, Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed and re-enacted, so that said section when thus repealed and re-enacted shall read as follows:

The outgoing sheriff, as soon as his successor has been qualified and inducted into office and his official bond approved, shall immediately vacate his office, deliver to his successor all books, papers, records and the other property held by virtue of his office and shall make a full and complete settlement of his accounts as sheriff. Except that the outgoing sheriff upon the execution, as herein provided, a new revenue bond, shall keep in his possession all unpaid tax bills and shall collect and account for same as provided by law, and shall have until the first day of June after his term of

office has expired to make his settlement with the auditor of public accounts and the fiscal court of his county and to receive his quietus, and immediately thereafter he shall deliver these records to his successor. On the failure of any outgoing sheriff for ten days to comply with the provisions of this section, he shall be deemed guilty of a misdemeanor and, on conviction be fined in a sum not less than fifty dollars ($50) nor more than five hundred dollars ($500) and be liable on his bond for any default.

§ 3. That Section 4143 of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed and reenacted, so that said section when thus repealed and reenacted shall read as follows:

The sheriff or collector of revenue in each county of this Commonwealth shall on or before the 10th day of each month report under oath to the Auditor of Public Accounts the amount of all taxes he has collected for the preceding month, and shall, on or before the making of such report, pay into the State Treasury all taxes which he has collected for the State for said preceding month. Any sheriff or collecting officer who shall fail to report as herein required, shall be liable to indictment in the Franklin Circuit Court, and upon conviction shall be fined not less than one hundred dollars ($100) nor more than five hundred dollars ($500), for each offense, and it shall be the duty of the Auditor of Public Accounts to report to the grand jury of Franklin county at each term of said court any such sheriff or collector failing to report as herein required. Any sheriff or collector failing to pay over any taxes collected by him and due the state as hereinabove set out, shall be required by the Auditor of Public Accounts to pay a penalty of six per centum (6%), and interest at the rate of six per centum (6%) on such taxes, and the Auditor of Public Accounts, in his settlement with the sheriff or collector, shall charge him with the penalties accruing under the provisions of this Act.

§ 4. That Section 4147 of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed and re-

enacted, so that section when thus repealed and re-enacted shall read as follows:

The sheriff or collector of the state and county revenue of each county in this Commonwealth, shall, on or before the 10th day of each month, in each year, report under oath to the county court of his county the amount of state and county taxes he has collected during the month preceding, together with all fines, forfeitures or money, or any other account that shall have been received or collected by him for said preceding month, showing in said report the amount collected for and belonging to each particular fund, for which such revenue or money may be intended, and the disposition of such revenue or money collected by him. The sheriff or collecting officer shall be required by the fiscal court to pay a penalty of six per centum (6%) on all taxes or other moneys collected by him and unpaid by him to the county treasurer by the 10th day of each month following the month in which such collection was made. The reports herein referred to shall be filed and recorded in separate books furnished by the county court for that purpose, which shall be open for inspection in the office of the county clerk. Any sheriff or collector who shall fail to report as herein required shall be liable to indictment in the county of his residence, and fined not less than one hundred dollars ($100) nor more than five hundred dollars ($500).

§ 5. That Section 4148, of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed and re-enacted so that said section when thus repealed and re-enacted shall read as follows:

All state, county and district taxes, except as otherwise specially provided, shall be due and payable on and after the first day of March after the assessment, and all taxpayers whose taxes are not paid on or before the last day of February after the same are due, shall be deemed delinquent, and such taxes shall bear interest at the rate of six per cent. (6%) per annum from the last day of February after they

are due until paid, and any person or persons failing to pay their taxes on or by the last day of February after they are due, shall pay a penalty of six per centum (6%) additional on the taxes due and unpaid. Providing any taxpayer who pays his or her or its state, county or district taxes on or before November 1, after same becomes due in any year shall be entitled to 2% discount thereon, and the collector, in case of all such payments will allow such reduction and give a receipt in full to the taxpayer. The sheriff or collector whose duty it is to receive or collect the taxes shall collect the interest and penalty and account for the same in the same way in which they are required to collect and account for the taxes.

§ 6. If any section of this Act shall be held to be invalid or unconstitutional, such fact shall not affect any other section of this Act, it being the intention of the General Assembly in enacting this act to enact each section separately; and if any proviso or exception contained in any section of this act shall be held invalid or unconstitutional, such fact shall not affect the remaining portion of such section, it being the intention of the General Assembly to enact each section of this Act and each proviso and each exception thereto separately.

§ 7. All acts and laws in conflict herewith, to the extent of such conflict, are hereby repealed.

Senator Ferguson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon is passage.

Said motion was agreed to by a majority of the members elected.

Ordered that said bill be read the third time.

The Constitutionl provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. Lewis Ryans
W. W. Booles	Silas Jacobs	E. D. Stephenson
H. M. Brock	Alex E. Johnson	Joe Stewart
Edwin C. Dawson	L. C. Littrell	Thos. O. Turner
Dr. T. J. Edge	Frank I. Lloyd	Fred C. VanHoose
Thos. C. Ferguson	Rev. C. D. McCaw	F. M. White
Walter N. Flippin	C.T.McCormick,Sr.	Sewell B. Williams
Chas. G. Franklin	Wm. Mehler	W. A. Yates
Perry B. Gaines	Ray B. Moss	Allie W. Young
Arch Hamilton	D. C. Naive	Gates F. Young
J. S. W. Holloway	Marion F. Pogue	
Robert Humphreys	Dr. G. W. Ragan	—34

Those who voted in the negative were:

E. C. Moore O. M. Rogers —2

Resolved that the title thereof be as aforesaid.

Senator Ryans moved that the Senate do now adjourn.

Said motion was agreed to.

WEDNESDAY, FEBRUARY 10, 1932.

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by Rev. Dr. Irvin Wise of the Frankfort Presbyterian Church.

The roll of the Senate was called and the following Senators answered to their names:

Jas. H. Bondurant	Silas Jacobs	J. M. Rose
W. W. Booles	Alex E. Johnson	R. H. Royster
H. M. Brock	L. C. Littrell	Dr. Lewis Ryans
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Joe Stewart
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
Chas. G. Franklin	E. C. Moore	F. M. White
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch Hamilton	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Allie W. Young
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young
Wm. Isaacs	O. M. Rogers	—38

Senator Rose moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Gaines moved that the privileges of the floor be extended to Mr. R. L. Duncan of La Grange.

Said motion was agreed to.

Senator Gates F. Young moved that the privileges of the floor be extended to Mr. and Mrs. A. L. Bondurant of Owensboro.

Said motion was agreed to.

Senator Williams moved that the privileges of the floor be extended to Judge C. A. Bock and Mr. G. C. Allen.

Said motion was agreed to.

Senator Rogers moved that the privileges of the floor be extended to Judge N. E. Riddell and Judge B. H. Riley of Boone County.

Said motion was agreed to.

Senator Yates moved that the privileges of the floor be extended to Mr. G. R. Reed of Columbia.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor be extended to Mrs. Howerton and Mrs. Channing of Ashland.

Said motion was agreed to.

Senator Pogue moved that the privileges of the floor be extended to Mr. B. F. Walker, Jr., and Miss Nancy Purdon.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Mr. and Mrs. Ernest Bondurant of Owensboro.

Said motion was agreed to.

Senator Stewart moved that the privileges of the floor be extended to Messrs. G. M. Haycraft, G. Kinser, E. R. Green, Gilbert Carrier and J. C. Lee.

Said motion was agreed to.

Senator Stephenson moved that the privileges of the floor be extended to Messrs. Astor Hogg and Steve Combs, Jr.

Said motion was agreed to.

Senator Booles moved that the privileges of the floor be extended to Mr. and Mrs. Hailey, Mr. and Mrs. Howerton, Mr. Stapleton and Mr. Smith.

Said motion was agreed to.

Senator Rogers moved that the privileges of the floor be extended to Mr. and Mrs. R. T. Vonhoene and Dr. Kiefer.

Said motion was agreed to.

Bills of the following titles were introduced, referred and ordered printed, as follows, viz.:

By Senator White.

S. B. 348. An Act to repeal, amend and re-enact Section 2 of Chapter 127, Acts of the General Assembly of 1928, now Section 4224b-a, Carroll's Kentucky Statutes, 1930 Edition, relating to tax on gasoline; to provide for the distribution in part of said tax to the counties of the State for the construction, repair and maintenance of rural mail roads, star route roads and the State primary system of roads, and for the payment of bonds issued by the counties for the construction of State primary roads; and relating to the use and expenditure by the counties of said fund.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2, Chapter 127, Acts of the General Assembly of 1928, now Section 4224b-2, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed, amended and re-enacted so that the same shall read as follows:

Section 2. (a) All taxes collected under the provisions of this statute shall be paid into the State Treasury. Eighty per centum (80%) of said taxes shall be used only for the purpose of construction, reconstruction, maintenance and repair of roads, highways and bridges, and distributed and disbursed in the manner now provided for the whole of said revenue. (b) The remaining twenty per centum (20%) of said revenue shall be used by the respective counties of the State only for the construction, reconstruction, maintenance

and repair of rural mail roads, star route mail roads and/or roads which have been designated as parts of the primary system of State highways, but which have not been or are not being constructed or maintained by the State Highway Commission; and/or for the payment of bonds issued by the counties for the construction or reconstruction of roads which are now parts of the State system. Such twenty per cent. of said revenue shall be divided and distributed among the counties in the State according to the proportion which the mileage of roads in each county upon which same may be expended bears to the total mileage of such roads in the State. (c) The State Treasurer shall pay said fund to the counties semi-annually upon warrants of the Auditor, whose duty it shall be to ascertain the mileage of each county subject to the benefits of this Act from detailed, sworn certificates of the Judges of the respective county courts, or otherwise. (d) The application of the said fund to the various purposes designated shall be in the discretion of the fiscal authority of each county. (e) Should said fund or any part thereof be used by any county for any purpose other than one mentioned in this Act, the county so offending shall not be entitled to receive any part of said revenue for two years thereafter, and its portion shall be distributed among the other participating counties. (f) No county shall anticipate the reception of said fund or any part thereof and shall not appropriate or contract for the expenditure thereof until after same shall have been actually received into its treasury, and any such appropriation, contract or agreement shall be void.

(g) Should any part of this Act be held unconstitutional, such decision shall not affect any other part hereof.

(f) All laws in conflict herewith are repealed.

By Senator Rogers.

S. B. 349. An Act enabling cities of the second class to acquire, construct, improve, operate and maintain bridges across navigable streams, and to acquire and operate ferries thereover, so as to connect such cities with an adjoining state;

providing for the creation of bridge commissions of such cities and prescribing their powers and duties; authorizing the issuance of revenue bonds of such cities, payable solely from bridge and ferry earnings, to pay the cost of such bridges and improvements thereof and such ferries; providing for the collection of bridge and ferry tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the bridges and ferries; setting forth the conditions upon which such bridges shall become free bridges; providing that no debt of such cities shall be incurred in the exercise of any of the powers granted by this act; providing for condemnation.

To Committee on Municipalities.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Issuance of revenue bonds for bridges. Cities of the second class are hereby authorized and empowered to acquire by purchase and to construct, or partly acquire and partly construct, and to improve, operate and maintain bridges over navigable streams so as to connect such cities with an adjoining state, and, in order to pay the cost of such acquisition and/or construction and of such improvements, to issue bridge revenue bonds of such cities, as hereinafter provided.

§ 2. Definitions. As used in this Act, the following words and terms shall have the following meanings:

(a) The word "bridge" shall be deemed to embrace a bridge in its entirety, the highway and pedestrian portion of any existing bridge, and shall include all property, rights, easements and franchises relating thereto, including approaches.

(b) The word "improvements" shall mean such repairs,

replacements, additions and betterments of and to a bridge acquired by purchase as are deemed necessary to place it in a safe and efficient condition for the use of the public, if such repairs, replacements, additions and betterments are ordered prior to the sale of any bonds for the acquisition of such bridge.

(c) The term "cost of bridge" as applied to a bridge to be acquired by purchase shall include the purchase price, cost of improvements, financing charges, interest during any period of disuse before completion of improvements and for a period of six months after such purchase or such completion, cost of traffic estimates and of engineering and legal expenses, plans, specifications and surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of the enterprise, and such administrative and other expense as may be necessary or incident to the financing herein authorized and the acquisition of the bridge and the placing of the bridge in operation.

(d) The term "cost of bridge" as applied to a bridge to be constructed shall embrace the cost of construction, the cost of all land, property rights, easements and franchises acquired which are deemed necessary for such construction, financing charges, interest during construction and for a period of six months thereafter, cost of traffic estimates and of engineering and legal expenses, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of the enterprise, and such administrative and other expense as may be necessary or incident to the financing herein authorized and the construction of the bridge and the placing of the bridge in operation.

(e) The term "bridge commission" shall mean the bridge commission hereinafter provided for of any such city, or if such commission shall be abolished, any board or officer succeeding to the principal functions thereof or upon which

or whom the powers given by this Act to such commission shall be given by law.

(f) The word "owner" shall include all individuals, co-partnerships, associations or corporations having any title or interest in any property, rights, easements or franchises authorized to be acquired by this Act.

§ 3. Bridge commission. The Mayor or other chief executive officer of such city, with the approval of the legislative body of the city, may appoint four persons who, with the Mayor or other chief executive officer, ex officio, shall constitute the bridge commission of said city. Each appointee shall be at least twenty-five years of age, and not more than two of such appointees shall be members of the same political party. No officer or employee of said city, whether holding a paid or unpaid office, shall be eligible to hold an appointment on said bridge commission. Such appointees shall be originally appointed for terms of four years. Upon the expiration of such terms, appointments shall be made in like manner except that the terms of the four appointees shall be for one year, two years, three years and four years, respectively, and the successors of such appointees shall be appointed in like manner, each for a period of four years. Any member of the bridge commission shall be eligible for reappointment. Vacancies shall be filled for any unexpired term in the same manner as the original appointment. Each appointee, before entering upon the discharge of his duties, shall qualify by taking, subscribing and filing an oath of office as required by law, and by executing a bond for the faithful performance of his duties, to be approved by the legislative body of this city, in the penal sum of $5,000, which bond shall be filed with the other official bonds of the city.

§ 4. Organization of commission. Upon the appointment and qualification of the members of the bridge commission as above provided, they, together with the Mayor or other chief executive officer, shall constitute a body corporate under the name of (here insert name of city) Bridge Commission and shall have power to contract and be contracted with,

to sue and be sued in that name and to adopt a seal and alter same at pleasure. Said bridge commission shall elect a chairman and a vice-chairman from its members, and a secretary-treasurer who need not be a member of such commission. The members of the bridge commission, except the Mayor, shall receive such compensation as may be fixed by the legislative body of the city, either as a salary or as payment for meetings attended, but the maximum compensation of the chairman in any year shall not exceed one thousand dollars ($1,000.00) and of each other member shall not exceed five hundred dollars ($500.00). The bridge commission shall fix the compensation of the secretary-treasurer in its direction. The bridge commission shall have power to establish by-laws, rules and regulations for its own government and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of the powers under his Act. The bridge commission may employ engineering, architectural and construction experts and inspectors and attorneys, and such other employees as may be necessary in its opinion, and fix their compensation, all of whom shall do such work as the bridge commission shall direct. All salaries and compensation shall be paid solely from funds provided under the provisions of this Act, and no such bridge commission shall proceed to exercise or carry out any authority or powers given it to bind such bridge commission beyond the extent to which money has been or may be provided under the provisions of this Act.

§ 5. Commissioners not interested in contracts. No person while in the employ of, or holding any official relation to any person, firm or corporation selling or furnishing any materials entering into the construction, improvement, repair or maintenance of any such bridge, or who is pecuniarily interested therein, as a stockholder or otherwise, shall be a member of any city bridge commission; nor shall any such bridge commission appoint hereunder any person or persons as engineers, superintendents, or foremen sustaining such relation to such person, firm or corporation; nor shall such engineers, superintendents or foremen thereafter become in

any way connected with or interested in any such person, firm or corporation while in the employ of such bridge commission; nor shall any of such commissioners, or any engineer, superintendent or foreman appointed by the bridge commission be a candidate for, or hold any public office other than that of commissioner or be an employee under said bridge commission or be a member of any political committee either while acting as such commissioner or while holding employment thereunder. In case any of such commissioners or servants or employees shall be a candidate for or hold any other public office, or shall be a member of any political committee, his office as commissioner or position as employee, as the case may be, shall be ipso facto vacated.

§ 6. Purchase of bridges. The bridge commission of any such city is hereby authorized and empowered to acquire by purchase any toll bridge over a navigable stream so as to connect such city with an adjoining State, or any such toll bridge wholly or partly constructed, and/or any franchises, easements, permits and/or contracts for the construction of any such bridge, upon such terms and at such prices as may be considered by such bridge commission to be reasonable and can be agreed upon between it and the owner thereof, title thereto to be taken in the name of such city.

§ 7. Condemnation of Property. The bridge commission of any such city, whenever a reasonable price cannot be agreed upon, is hereby authorized and empowered to acquire by condemnation any land, rights, easements, franchises and other property deemed necessary or convenient for the improvement and/or the efficient operation of any property acquired or constructed under this Act, or for the purpose of constructing any bridge or portion thereof hereunder, or for securing right-of-way leading to any such bridge or its approaches, in the manner provided by law for the appropriation of private property for similar or other public purposes. Such bridge commission is and shall be further empowered to exercise in this Commonwealth and in any adjoining State such powers of eminent domain as may be conferred upon such city or such bridge commission by

any act of Congress of the United States now in force or which may hereafter be enacted. Title to any property condemned by the bridge commission shall be taken in the name of the city. The city shall be under no obligation to accept and pay for any property condemned, or any costs incidental to any condemnation proceedings, and shall in no event pay for the same except from the funds received under the provisions of this Act, and in any condemnation proceedings the court having jurisdiction of the suit, action or proceeding, may make such orders as may be just to the city and to the owners of the property to be condemned, and may require an undertaking or other security to secure such owners against any loss or damage to be sustained by reason of the failure of the city to accept and pay for the property, but such undertaking or security shall impose no liability upon the city, except such as may be paid from the funds received under the provisions of this Act.

§ 8. Improvement of bridges acquired. It shall be the duty of the bridge commission, at or before the time any such bridge shall be acquired by purchase, to determine what repairs, replacements, additions or betterments, if any, will be necessary to place the bridge in safe and sufficient condition for the use of the public, and to cause an estimate of the cost of such improvements to be made and submitted to such bridge commission by an engineer or engineers appointed by it. The bridge commission shall order such improvements before the sale of any bridge revenue bonds hereinafter authorized for the acquisition of such bridge.

§ 9. Construction of bridges. The bridge commission of any such city is hereby authorized and empowered to construct any toll bridge over a navigable stream, so as to connect such city with an adjoining State. Any such bridge commission is hereby authorized to purchase within this Commonwealth and within any adjoining State, such lands, structures, rights of way, franchises, easements and other interests in lands, including lands under water and riparian rights of any person, railroad or other corporation or municipality or political sub-division, deemed necessary for the construction

of any such bridge, upon such terms and at such prices as may be considered by it to be reasonable and can be agreed upon between it and the owner thereof, title thereto to be taken in the name of the city. No contract or agreement with any contractor or contractors for the construction of any such bridge exceeding in amount the sum of Twenty-five Hundred Dollars ($2,500.00) shall be made without advertisement for bids, which bids shall be opened publicly and an award made to the best bidder, with power in the Commission to reject any or all bids.

§ 10. Removal of obstructions. All individuals or corporations having buildings, structures, works, conduits, mains, pipes, tracks, or other physical obstruction in, over or upon the public streets, lanes, alleys, highways or in, under or over the stream over which any bridge is to be constructed, and which shall interfere with or impede the progress of said bridge when in progress of construction or improvement, shall upon reasonable notice from the bridge commission promptly so shift, adjust, accommodate or remove the same at their own cost and expense, except as otherwise provided or required by law, as fully to meet the exigencies occasioning such action and the city legislative body shall have full power by ordinance to prescribe the penalty for such failure. Any publicways or public works damaged or destroyed by reason of the building of such bridge or approaches shall be restored or repaired by the bridge commission and placed in their original condition as near as practicable.

§ 11. Bridge Revenue Bonds. The bridge commission of any such city is hereby authorized to provide by resolution for the issuance of bridge revenue bonds of such city for the purpose of paying the cost as hereinabove defined of any bridge, which resolution shall recite an estimate of such cost. The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment. Such bonds shall bear interest at not more than six per centum per annum, payable semi-annually, shall mature at such time or times not more than thirty years from their date or dates as may be determined by such bridge commis-

sion, and may be made redeemable before maturity at the option of the city, to be exercised by such bridge commission, at not more than the par value thereof and a premium of five per cent, and under such terms and conditions as may be fixed by such bridge commission prior to the issuance of the bonds. The principal and interest of such bonds may be made payable in any lawful medium. The bridge commission shall determine the form of the bonds, including the interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof, which may be at any bank or trust company within or without the Commonwealth. Such bonds shall be signed by the chairman of the bridge commission and by the Mayor or other executive officer of the city, under the City's seal, attested by the city clerk or city recorder, and the coupons shall bear the facsimile signatures of said chairman. All bonds issued under this Act shall contain a statement on their face that the city shall not be obligated to pay the same or the interest thereon except from the revenues of such bridge. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. All such bonds shall be, and shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth. Such bonds and the income thereof shall be exempt from taxation by the Commonwealth of Kentucky and by the municipalities and political sub-divisions thereof. Such bonds shall be lawful investments of banks, savings banks, trust companies, trustees and of the commissioners of the sinking funds of municipalities and counties, and shall be acceptable as security for the deposit of public moneys. Provision may be made for the registration of any of the bonds in the name of the owner as to principal alone. The bridge commission issuing such bonds may sell the bonds in such manner and for such price as it may determine to be for the best interests of the city, taking into consideration the financial re-

sponsibility of the purchaser and the terms and conditions of the purchase and especially the availability of the proceeds of the bonds when required for payment of the cost of the bridge. Such bonds may be sold at private sale without advertisement. The proceeds of such bonds shall be used solely for the payment of the cost of the bridge and shall be checked out by the chairman or vice-chairman of the bridge commission and the secretary-treasurer thereof and under such restrictions, if any, as such bridge commission may provide. If the proceeds of such bonds, by error of calculation or otherwise, shall be less than the cost of the bridge, additional bonds may in like manner be issued to provide the amount of such deficit and, unless otherwise provided in the trust indenture hereinafter mentioned, shall be deemed to be of the same issue and shall be entitled to payment from the same fund, without preference or priority of the bonds first issued for the same bridge. If the proceeds of bonds issued for any bridge shall exceed the cost thereof, the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of said bonds. Prior to the preparation of definitive bonds, such bridge commission may under like restrictions issue temporary bonds with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. Such revenue bonds may be issued without a vote of the voters and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions and things which are specified and required by this Act or by the Constitution of the Commonwealth.

§ 12. Lien Upon Bond Proceeds. All moneys received from any bonds issued pursuant to this Act shall be applied solely to the payment of the cost of the bridge or to the appurtenant sinking fund and there shall be and hereby is created and granted a lien upon such moneys, until so applied, in favor of holders of such bonds or the trustee hereafter provided for in respect of such bonds.

§ 13. Trust Indenture. In the discretion of the bridge commission each or any issue of such bonds may be secured by a trust indenture by and between the city and a corporate

trustee, which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth, or such corporate trustee and an individual or individuals as co-trustee or co-trustees, but no such trust indenture shall convey or mortgage any bridge or any part thereof. Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper, not in violation of law, including covenants setting forth the duties of the bridge commission in relation to the acquisition, construction, improvement, maintenance, operation, repair and insurance of the bridge, and the custody, safe-guarding and application of all moneys. The trust indenture may also provide that the bridge shall be acquired, constructed, or partly acquired and partly constructed, and paid for under the supervision and approval of consulting engineers employed or designated by such bridge commission and satisfactory to the original purchasers of the bonds issued therefor, their successors, assigns or nominees, who may be given the right to require that the security given by contractors and by any depository of the proceeds of the bonds or revenues of the bridge or other moneys pertaining thereto be satisfactory to such purchasers, successors, assigns or nominees. Such indenture may set forth the rights and remedies of the bondholders and trustee, restricting the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations. Except as in this Act otherwise provided, such bridge commission may provide by resolution or by such trust indenture for the payment of the proceeds of the sale of the bonds and the revenues of the bridge to such officer, board or depository or depositories as it may determine for the custody thereof, and for the method of disbursement thereof, with such safe-guards and restrictions as it may determine. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance, operation and repairs of the bridge affected by such indenture.

§ 14. Bridge Tolls. The bridge commission shall fix, charge and collect tolls for transit over each such bridge, and such tolls shall be so fixed and adjusted, in respect of the

aggregate of tolls from each bridge for which bonds are issued, as to provide a fund sufficient to pay such bonds and the interest thereon, and to provide an additional fund to pay the cost of maintaining, repairing and operating such bridge, subject, however, to any applicable law or regulation of the United States of America now in force and hereafter to be enacted or made. The tolls from each bridge for which bonds are issued, except such part thereof as may be necessary to pay the cost of maintaining, repairing and operating during any period in which such cost is not otherwise provided for (during which period the tolls may be reduced accordingly) shall be set aside each month in a sinking fund which is hereby pledged to and charged with the payment of (a) the interest upon such bonds as such interest shall fall due and (b) the necessary fiscal agency charges for paying bonds and interest and (c) the payment of such bonds, such sinking fund to be a fund for all such bonds without distinction or priority of one over another. Prior to the issuance of the bonds the bridge commission may provide by resolution or by such trust indenture for using the sinking fund or any part thereof in the purchase of any of the outstanding bonds payable therefrom at the market price thereof, but not exceeding the price, if any, at which the same shall be at the next interest date be payable or redeemable, and all bonds redeemed or purchased shall forthwith be cancelled and shall not again be issued. The moneys in the sinking fund, if not used within a reasonable time for the purchase of bonds for cancellation as above provided, shall be applied to the redemption of bonds by lot at the redemption price then applicable.

§ 15. Cessation of tolls. When the particular bonds issued for any bridge and the interest thereon shall have been paid or a sufficient amount shall have been provided for their payment and shall continue to be held for that purpose, the bridge commission shall cease to charge tolls for the use of such bridge and thereafter such bridge shall be free unless tolls shall be required for maintaining, repairing and operating such bridge.

§ 16. Action by trustee and bondholders. Any holder

of any of such bonds or any of the coupons attached thereto, and the trustee, if any, except to extend the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture, may, either at law or in equity, by suit, action, mandamus, or other proceeding protest and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this Act or by such resolution or trust indenture to be performed by the city issuing the bonds, or by the bridge commission or any officer thereof, including the fixing, charging and collecting of tolls for transit over such bridge.

§ 17. Contributions. The bridge commission of any such city shall have power to enter into agreements with any adjoining State or any municipality or political subdivision thereof, whereby such adjoining State, municipality or political subdivision may contribute either money or property to the cost of the construction, acquisition or the operation and maintenance of any bridge connecting such city with such other State, municipality or political subdivision. The bridge commission, in addition to the revenues which may be received from the sale of bridge revenue bonds and from the collection of tolls and other bridge revenues derived under the provisions of this Act, shall have authority to receive and accept contributions of either money or property or other things of value, to be held, used and applied for the purposes in this Act provided.

§ 18. Competing bridges and ferries. No bridge for the use of the traveling public connecting this Commonwealth with an adjoining State shall hereafter be constructed and operated by any county, municipality or political subdivision of the Commonwealth, or by any person, copartnership association or corporation, within five miles of any toll bridge for the acquisition or construction of which bridge revenue bonds shall have been authorized under this Act, and no franchise shall hereafter be granted for the operation of a ferry within the same limits, except under a written permit granted by the State Highway Commission. No such permit shall be granted

by the State Highway Commission until it shall ascertain by an investigation, including a hearing upon such notice and under such rules as the State Highway Commission may prescribe, that there is an urgent public need for the operation of such bridge or such ferry, and that its operation will not affect the revenues of any such toll bridge so as to impair the security of any bridge revenue bonds issued for the acquisition or construction of such toll bridge.

§ 19. Acquisition of ferries. The bridge commission of any city authorizing bridge revenue bonds under this Act is hereby authorized to purchase all or any ferries, together with all necessary lands, easements and appurtenances thereto, which shall then be operating across the stream to be spanned by the bridge to be acquired or constructed and shall be within five miles of the location of such bridge. In the event of such purchase, the purchased price thereof shall be deemed apart of the cost of the bridge and shall be paid solely from funds received under the provisions of this Act. The bridge commission may maintain and operate any ferry or ferries so purchased and fix such rates of toll for the use thereof as it may deem proper, or it may in its discretion sell or otherwise dispose of any ferry so purchased, or it may abandon or dismantel the same whenever in its judgment it may seem expedient so to do. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used to pay the cost of maintaining, repairing and operating the same, and any residue thereof shall be paid into the sinking fund hereinabove provided for the bonds.

§ 20. General powers of the commission. In addition to the powers and duties enumerated in this Act, such bridge commission shall have power to do and perform any and all things and acts necessary or convenient in the construction or acquisition, maintenance and operation of any bridge to be constructed or acquired under the provisions of this Act, and in the financing thereof, to the end that such bridge may become and be operated free of tolls as early as possible and

practicable, subject only to the express limitations of this Act and constitutional provisions applicable thereto.

§ 21. Dissolution of bridge commission. When all such bonds of any such city and the interest thereon shall have been paid or their payment fully provided for, the bridge commission shall stand dissolved. Thereupon the legislative body of such city shall assume the operation, maintenance and repair of any such bridge, and, unless the cost of operation, maintenance and repair shall be otherwise provided for, shall assume the collection of tolls for the payment of such cost, and shall do any and all other acts and things that may be necessary and convenient for the maintenance of such bridge.

§ 22. Act provides alternative method. This Act shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplementary and additional to powers conferred by other laws.

§ 23. Constitutional construction. The provisions of this Act are severable, and if any of its provisions shall be held unconstitutional by a court of competent jurisdiction the decision of such court shall not affect or impair any of the remaining provisions of this Act.

§ 24. This Act shall take effect from and after its passage and approval by the Governor as provided by law.

By Senator Moss.

S. B. 350. An Act to repeal and re-enact Section 3727a-12, Kentucky Statutes, 1915 Edition, relating to the employment of trained nurses.

To Committee on Public Health.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3727a-12, Kentucky Statutes, 1915 Edi-

tion, be and the same is hereby repealed, and there is now enacted in lieu thereof the following to-wit:

Section 3727a-12. This Act shall not be construed to interfere in any way to gratuitous nursing of the sick "either gratuitously or for compensation" by a friend or member of the family, or any strictly charitable nursing by established hospitals, or to nurses who do not assume to be trained or registered nurses, who shall have had ten years practical nursing of the sick at the time of the passage of this Act. It shall be unlawful for any doctor or hospital of this Commonwealth to employ or use any nurse unless that nurse be a registered or trained nurse in conformity with the sections of this chapter, except as hereinbefore set out, and it shall be unlawful for any person to practice nursing in this Commonwealth unless properly accredited and registered under the provisions of this chapter, except as hereinbefore set out.

§ 2. All laws or parts of laws conflicting with the provisions of this Act are hereby repealed.

By Senator Moss.

S. B. 351. An Act to authorize the State Librarian to furnish without cost to the Library of the University of Kentucky, certain duplicate public documents and books when authorized by the trustees to do so.

To Committee on Normal Schools.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the State Librarian be and he is hereby authorized to furnish, free of charge, to the Library of the University of Kentucky, such duplicates of public documents and books which may be in the State Library, as the trustees of the said

State Library may, from time to time, in their discretion authorize him to furnish.

By Senator Van Hoose.

S. B. 352. An Act establishing as part of the primary system of State highways a road beginning at Denver, Johnson County, Kentucky, running down Jennie's Creek to Line Branch; up Line Branch to Rockhouse Branch, thence down Paint Creek to the Harry Davis Farm intersecting with Route No. 40.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary system of State highways a road beginning at Denver, Johnson County, Kentucky, running down Jennie's Creek to Line Branch; up Line Branch to Rockhouse Branch, thence down Paint Creek to the Harry Davis Farm intersecting with Route No. 40.

§ 2. Said road to be constructed and maintained subject to all conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, establishing and creating a Primary System of State Highways.

By Senator Hamilton.

S. B. 353. An Act providing for the practice of Barbering and Beauty Specialists, requiring the registration of Barbers and Apprentices and Beauty Specialists and Apprentices, and the supervising of Barber Shops and Beauty Shops; defining the practice of Barbering, of Barbers and Beauty Specialists and Apprentices; exemptions from the

operations of the Act; qualifications for the certificate of registration as registered Barbers, registered Apprentices and Registered Beauty Specialists; providing for the establishment of a minimum standard of professional education of Barbers and Beauty Specialists; providing for the issuance of certificates of registration of Barbers, Apprentices and Beauty Specialists; regulating the admission of Barbers to practice in this State who have practiced barbering in another State or country; providing for the present practitioners in this State for the certificates of registration for the renewal and the restoration of certificates; providing for the establishment of a Board of Barbers and Beauticians Examiners to be known as the Kentucky State Board of Barbers and Beautician Examiners; for the hearing by said Board of refusal, renewal, or suspension of any certificate of registration; for perfecting appeal from the Board; for fees to be charged for issuance of registration certificates and for fee to accompany application for examination; for penalty for violation of any provision of this Act; for compensation of members of Board and method of appointment by Governor; for organization of said Board and its officers; duties of said Board; for delegating to it power to make and publish rules and regulations for the administration of this Act and the posting of same in the Barber Shops, barbers and Beauty Culture Schools, and Beauty Shops of this State; for the keeping of the records of the Board's proceedings and its publicity; for method of calling meetings of the Board; for the duties of the Board's Secretary, for compensation of Secretary and each member of Board and limiting salary of any inspector, clerk or assistant; for the declaration by courts of unconstitutionality of any section or part of this Act not affecting any part of this Act not declared unconstitutional.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Requirement Of Registration.

§ 1. (a) That after July 1, 1932, no person shall practice or attempt to practice barbering, or that of beauty culture, without a certificate of registration as a registered barber, or beauty specialist issued pursuant to the provisions of the herein Act, by the Board of Barbers and Beautician Examiners, hereinafter established.

(b) After July 1, 1932, no person shall serve or attempt to serve as an apprentice under a registered barber or beauty specialist without a certificate of registration as a registered apprentice issued by the Board.

(c) After July 1, 1932, it shall be unlawful to operate a Barber Shop, or Beauty Shop unless it is at all times under the direct supervision and management of a registered Barber or Beauty Specialist.

Practice Defined.

§ 2. Any one or combination of the following practices (when done upon the upper part of the human body for cosmetic purposes and not for the treatment of diseases or physical or mental ailments and when done for payment, either directly or indirectly, or without payment for the public generally) constitutes the practice of barbering and beauty culture;;

(a) Shaving or trimming the beard or cutting the hair;

(b) Giving facial and scalp massages or treatments with oil, creams, lotions or other preparations either by hand or mechanical appliances.

(c) Singeing, shampooing or dying the hair or applying hair tonics;

(d) Applying cosmetics preparations, powders, oils, clays or lotions to scalp, face, neck or upper part of the body.

The practice of beauty culture shall include each above named section; BUT LADIES HAIR CUTTING ONLY OF SECTION A, permanent waving, marcelling and finger waving.

Practice Of Apprentice.

§ 3. No registered apprentice may independently practice barbering or practice as a beauty specialist, but he or she may as an apprentice, do any or all of the acts constituting the practice of barbering, and that of a beauty specialist under the immediate supervision of a registered barber or beauty specialist, and only one shall be employed in any licensed shop.

Exemptions.

§ 4. The following persons are exempt from the provisions of this Act, while in the proper discharge of their professional duties:

(a) Persons authorized by the law of this State to practice medicine and surgery.

(b) Commissioned medical or surgical officers of the United States Army, Navy or Marine Hospital Service.

(c) Registered nurses.

Qualification For Certificate Of Registration as Registered Barber And Registered Beauty Specialist.

§ 5. A person is qualified to receive a certificate of registration to practice barbering and beauty culture:

(a) Who is qualified under Section 6 of this Act.

(b) Who is at least eighteen (18) years of age.

(c) Who is of good moral character and temperate habits.

(d) Who has practiced as a registered apprentice for eighteen months under the immediate supervision of a registered member of his or her profession, and

(e) Who has passed a satisfactory examination conducted by the Board to determine his or her fitness to practice barbering or beauty culture.

An applicant for certificate of registration to practice as a registered barber or beauty specialist, who fails to pass a satisfactory examination conducted by the Board must continue to practice as an apprentice for an additional six (6) months before he or she is entitled to take the examination for a registered barber or beauty specialist.

Qualifications For Certificates of Registration as Registered Apprentices.

§ 6. A person is qualified to receive a certificate of registration as a registered apprentice:

(a) Who is at least sixteen and one-half (16½) years of age;

(b) Who is of good moral character and temperate habits;

(c) Who has graduated from an accredited school of barbering or beauty culture; and

(d) Who has passed a satisfactory examination conducted by the Board to determine his or her fitness to practice as a registered apprentice.

An applicant for a certificate of registration to practice as an apprentice, who fails to pass a satisfactory examination, is required to complete a further course of study of not less than five hundred (500) hours, to be complete within three months of not more than eight (8) hours in any working day in an accredited school of barbering or beauty culture.

Minimum Standard of Professional Education.

§ 7. No school of barbering or beauty culture shall be approved by the Board unless it is accredited and requires, as prerequisite to graduation, a course of instruction of not less than seven hundred (700) hours to be completed in four months of not more than ten hours a day; such course of instructions to include the following subjects: Histology of the hair, skin, nails, muscles, and nerves of the head, face and neck; elementary chemistry relating to sterilization and antiseptics; diseases of the skin, hair glands, and nails; massaging and manipulating the muscles of the upper body; hair cutting, shaving, arranging, dressing, coloring, bleaching and tinting the hair, and other such course as scientific research and progress in the future may render desirable.

Application For Examination.

§ 8. Each applicant for examination shall:

(a) Make application to the Board on blank forms prepared and furnished by the Board, such application to contain proof under the applicant's oath of the particular qualifications of the applicant.

(b) Furnish to the Board two 3 inch x 5 inch signed photographs of the applicant to be presented to the Board when the applicant appears for examination, one to accompany the application, and one to be returned to the applicant.

(c) Pay to the Board the required fee.

Examinations.

§ 9. The Board shall conduct examinations of applicants for certificates of registration to practice as registered barbers, registered beauty specialists, and registered apprentices, not less than four times each year, at such times and places as the Board may determine.

The examination of applicants for certificates of registration as registered beauty specialists, and registered apprentices shall include both a practical demonstration and a written and oral test, and shall embrace the subjects usually taught in schools of barbering and beauty culture approved by the Board.

Issuance of The Certificate.

§ 10. Whenever the provisions of the Act herein have been complied with the Board shall issue a certificate of registration to the applicant.

Persons Having Practiced Barbering Or Beauty Culture In Another State Or Country.

§ 11. A person who is at least eighteen years old and of good moral character and temperate habits:

(a) Has a license or certificate of registration as a practicing barber or beautician from another State or Country, which has substantially the same requirements for licensing or registering; or

Who can prove by affidavits that he or she has practiced as barber or beautician in another State or Country for at least three years immediately prior to making application in this State; shall

Upon payment of the required fee, be issued a permit to practice as a journeyman barber or beautician until she or he is called by the Board for examination to determine his or her fitness to receive a certificate of registration to practice barbering or beauty culture. Should he or she fail to pass the required examination he or she shall be allowed to practice as a journeyman barber or beautician until he or she is called by the Board for the next term of examination. Should he or she fail at the third examination, he or she must cease to practice barbering or beauty culture in the State.

(b) A person who is at least sixteen and one-half years of age.

(c) Who is of good moral character and temperate habits; and

(d) Has a certificate of registration as an apprentice in a State or Country which has substantially the same requirements as an apprentice as is required by this Act.

Shall, upon payment of the required fee, be issued a permit to work as an apprentice until called by the Board for examination to determine his or her fitness to receive a certificate of registration as an apprentice. Being able to pass the required examination he or she will be issued a certificate of registration as registered apprentice, and the time spent in such State or Country shall be credited upon the period of apprenticeship required by this Act as a qualification to take the examinations as a registered barber or registered beauty specialist.

A person who has practiced as an apprentice in another State or Country which does not have substantially the same requirements for registration as an apprentice as required by this Act, and who has the qualifications as required by Section 7 of this Act, shall be credited with the time so spent as an apprentice in such other State or Country upon the period of apprenticeship required by this Act as a qualification to take the examination to determine his or her fitness to receive a a certificate of registration as a member of the barber or beauty culture profession.

Present Practitioner.

§ 12. Any person, resident of this State, who either for one year immediately preceding July 1, 1932, was continuously engaged in the practice of barbering or that of a beauty specialist at one or more established places of business in this State, or prior to July 1, 1932, graduated from a school of barbering or beauty culture shall be granted a certificate

of registration in his or her particular profession, without examination by making application to the Board on or before the first day of July, 1932, and paying the required fee of $5.00 and shall be given credit for time previously spent in such practice.

Any person who on or prior to July 1, 1932, was a student in a school of barbering or beauty culture is qualified, upon graduation from such school, to take the examination for the certificate of registration to practice as an apprentice, without regard to whether such a school complied with the standards of approval specified in Section 7 of this Act.

Display Of Certificate.

§ 13. Every holder of a certificate of registration shall display it in a conspicuous place adjacent to or near his or her work chair.

Renewal And Restoration Of Certificates.

§ 14. Every registered barber or beauty specialist and every registered apprentice who continues in active practice or service, shall annually, on or before July of each year, renew his or her certificate of registration and pay the required fee.

Every certificate of registration which has not been renewed during the month of July in any year, shall expire on the 1st day of July in that year.

A registered barber or beauty specialist or a registered apprentice whose certificate of registration has expired may have his or her certificate restored immediately upon payment of the required fee.

Any registered barber or registered beauty specialist who retires from practice of his or her profession for not more than five years, may renew his or her certificate of registration upon payment of the required registration fee.

Refusal And Revocation Of Certificate.

§ 15. The Board may either refuse to issue or renew or may suspend or revoke any certificate for any one or combination of the following causes:

(a) The conviction of a felony shown by a certified copy of the court of conviction.

(b) Gross malpractice or gross incompetency.

(c) Continued practice by a person knowingly having an infection or contagious disease.

(d) Habitual drunkenness or habitual addiction to morphine, cocaine, or other habit-forming drugs.

(e) The violation of any of the provisions of this Act, and the failure to enforce sanitary regulations prescribed for in Section 21 of this Act.

(f) No room shall be used as a Barber Shop or Beauty Shop unless it is separated from living quarters by a substantial partition of ceiling height.

Hearing By The Board.

§ 16. The Board may neither refuse to issue, nor refuse to renew nor suspend nor revoke any certificate of registration, however, for any of these causes unless the person accused has been given at least twenty days notice in writing of the charge against him or her and a public hearing by the Board.

Upon hearing of such proceeding the Board may administer oaths and may procure by subpoenaes, the attendance of witnesses and the production of relevant books and papers.

If the applicant is aggrieved by the action of the Board, he or she may appeal to the Franklin Circuit Court, at Frank-

fort, Kentucky, by filing with the clerk of said Court a certified copy of the written charge or charges, as heard by the Board, said Board being required to make and certify copy of said charge or charges on demand of applicant and same is lodged with the Clerk of said Circuit Court at Frankfort, Kentucky, and advance cost required paid, within ten days after the Board's finding, the appeal will have been perfected and same shall be docketed and will stand trial.

Fees.

§ 17. The fee to be paid by the applicant for an examination to determine his or her fitness to receive a certificate to practice Barbering or to practice as a Beauty Specialist, is Ten ($10) Dollars, and for the issuance of a certificate Five ($5) Dollars.

The fee to be charged an applicant for an examination to determine his or her fitness to receive a certificate of registration to practice as an Apprentice is Five ($5) Dollars and for the issuance of the certificate One ($1) Dollar.

The fee to be paid for the renewal of a certificate of registration to practice Barbering or as a Beautician, is Three ($3) Dollars, and for the restoration of an expired certificate Five ($5) Dollars.

The fee to be charged for the renewal of a certificate of registration to practice as an Apprentice is Three ($3) Dollars, and for the restoration of an expired certificate Five ($5) Dollars.

Penalty For Violation of Any of the Provisions of This Act or Any Rule or Regulation Promulgated By the Board.

§ 18. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed Two Hundred ($200) Dollars, and not less than Twenty-five ($25) Dollars.

§ 19. There is hereby created a Board of Barbers' and Beauticians' Examiners to be known as "the Kentucky State Board of Barbers' and Beauticians' Examiners": That said Board shall consist of four members and shall be appointed by the Governor: One Union Master Barber, One Non-Union Master Barber, One Union Journeyman Barber and One Beautician.

Each member must be a resident of the Commonwealth of Kentucky at the time of his or her appointment and must also have practiced the profession for five years immediately prior to appointment.

Two members of the First Board shall serve for two (2) years from the date of his or her appointment and qualifications and the other two (2) members shall serve for four (4) years from the time of his or her appointment and qualifications. At the expiration of the term of office of the two members appointed for two (2) years their successors shall be appointed for a term of four (4) years thereafter. At the expiration of the term of office of the two (2) members whose term of office expires in four (4) years, their successors shall be appointed for a term of four (4) years thereafter. The Governor will make such appointments within thirty days after this act becomes a law.

Members appointed by the Governor to fill vacancies shall be appointed from a list submitted by the one of the four heretofore mentioned organizations not represented on said Board by reason of said vacancy and he or she shall hold office during the unexpired term of their predecessors, but this provision does not preclude reappointment.

Officers, Compensation, Etc.

§ 20. The appointees to the Board shall meet within ten days after their appointment and perfect an organization by electing a President and Secretary and adopting reasonable rules and regulations for the transaction of business and for putting into effect the provisions of this act. It shall use and

adopt a common seal for authentication of its orders and records and establish and keep an office at Frankfort, or elsewhere in Kentucky.

The Secretary shall keep a record of all proceedings of the Board. He shall deposit with the State Treasurer of Kentucky all money collected and take his receipt therefor and all money received by the Secretary at any and all times shall be so deposited. The Secretary of the Board shall execute to the State of Kentucky a good and sufficient bond, approved by the Governor, in the sum of Ten Thousand ($10,000) Dollars to insure the faithful performance of his duties.

A majority of the members of the Board present in the meetings legally assembled may perform and exercise all the duties and powers devolving upon the Board.

The Secretary of the Board shall receive a salary not to exceed Three Thousand ($3,000) Dollars per annum, and shall be reimbursed for his or her necessary traveling expenses, incurred and incident to the actual discharge of his or her duty, and each member of the Board shall receive as compensation for actual attendance on legally assembled meetings of the Board Ten ($10) Dollars for each day such member attends as shown by the record, and shall be reimbursed for necessary traveling expenses, to be paid only from the fund created by fees collected in the administration of this act and subject to such restrictions as is required of other officers of the Commonwealth as to traveling expenses.

The Board shall have authority to employ such inspectors, clerks, and assistants as it may deem necessary to carry out the provisions of this Act, provided however that such employment is with the knowledge to such person or persons so employed that a pro rata of the fees collected will insure such payment and not be in excess of receipts.

The Board shall meet quarterly at the time and place as provided in Section Nine (9) of this Act and shall then conduct all examinations of applications of applicants. It will

conduct such other business that is before the Board. To meet for any urgent purpose, a called meeting may be had on notice from the President, or should the President refuse to call a meeting of the Board to meet such necessity, then in that event a notice from the Secretary, signed by two (2) members of the Board, will legally convene the Board for said purpose, but no other business can be transacted at such a called meeting except the business specified in this notice.

§ 21. The Board is authorized to make and promulgate any rule or regulation in its opinion necessary, not in conflict with law, for the purpose of effectively enforcing the provisions of this Act and when such rule or regulation is passed and published by said Board, it shall be subject to enforce the same as if incorporated in and made a part of this Act, and said rules and regulations shall include the prescribing of sanitary requirements for barber shops, barber schools and beauty shops and beauty schools.

Any member of the Board, or its agents or assistants when authorized in writing by the Board, shall have authority to enter upon the premises and into any barber shop or beauty shop or beauty parlor, or barber schools, or beauty culture schools at any reasonable time during business hours for purposes of official inspection. A copy of such rules and regulations so promulgated by the Board shall be provided the owner or manager of such shops and schools and by such owners or managers displayed in a conspicuous place in such shops, parlors and schools.

The Board shall keep an accurate record of all its proceedings and especially its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. Such record shall contain the name of business and residence of each registered barber and registered apprentice, and each registered beauty specialist, or beautician and registered apprentice, and the date and number of his or her certificates of registration. This shall be a public record open to public inspection at all reasonable times.

Partial Unconstitutionality.

§ 22. If any section or part of this Act on review by the Courts of the State should be declared to be in conflict with the Constitution of the State, it shall not affect the validity or force of any other section or part thereof not declared to be unconstitutional.

By Senator Hamilton.

S. B. 354. An Act to amend and re-enact Chapter 41 of Carroll's Kentucky Statutes in so far as said action applies to counties containing cities of the first class, providing for the adoption of voting machines, providing for the rules and regulations governing the use of said machines.

To Committee on Suffrage and Elections.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 41 of Carroll's Kentucky Statutes, 1930 Edition, relating to elections, be amended so that the provisions of said chapter as to the furnishing of ballots and the manner of voting, tabulating and returns of the votes shall not apply to counties in this State having cities of the first class.

The Fiscal Court or County Commissioners in this Commonwealth having cities of the first class therein, in place of the present manner of supplying ballot boxes, ballots and the method of voting, shall adopt machines for legal use for any and all primary and general elections held in said counties. The Board of Commissioners or the Fiscal Court shall be, and they are hereby authorized to adopt such machines as in their opinion are best adapted for the purpose of using in this connection with the conduct of said election, and they are

authorized and empowered to take such steps as are necessary for the purchase of said machines and other paraphernalia in the operation thereof; the cost of which shall be paid by the county as other claims.

The Board of Election Commissioners of said counties is hereby authorized and empowered to adopt such rules and regulations to govern the use of such machines, the manner of counting and certifying such voting as they shall deem necessary, provided such rules do not conflict with the laws of this Commonwealth in relation to the secrecy of said ballot and the conduct of said elections. The said election, if machines are adopted in any county of this Commonwealth, shall be conducted in the same manner as other elections are conducted, and the Board of Election Commissioners in any of said counties having cities of the first class, are hereby authorized to adopt any additional rules not covered in the general election laws of this State that are necessary to comply with the provisions of this Act.

Any person or officer violating the provisions of this Act shall be punishable as now provided in the primary or general election laws of this State.

All laws or parts of laws, insofar as they relate to counties containing cities of the first class, in conflict with this Act are hereby repealed.

By Senator Ferguson.

S. B. 355. An Act repealing and re-enacting Chapter 107 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1926 session, same being Sections 165-1 to 165-8, inclusive, of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, and also repealing and re-enacting Chapter 11 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1930, same being Sections 165-9 to 165-24, inclusive, Baldwin's 1931 Kentucky Statute Service, Carroll's Kentucky Statutes. Said Acts

hereby repealed relate to the creation of an Air Board for Kentucky; provide the number qualifications, term, powers and other matters relating to said Board; provide for the creation of airports, buildings and facilities; provide for the licensing and registration of air men and aircrafts; authorizing the members of said Board to employ the necessary personnel, and to empower the Air Board of Kentucky to enforce laws relating to aviation.

To Committee on Military Affairs.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 107 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1926 session, same being sections 165-1 to 165-8, inclusive, of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, and also Chapter 11 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1930, same being Sections 165-9 to 165-24, inclusive, Baldwin's 1931 Kentucky Statute Service, Carroll's Kentucky Statutes, be and the same are hereby repealed and re-enacted so that as re-enacted said laws shall read as follows:

§ 1. There is hereby created a body corporate to be known as the Air Board of Kentucky, the members of which shall be the Governor, ex-officio, the Adjutant General and one other member to be appointed by the Governor with the following qualifications:

(a) Holding office at the pleasure of the Governor.

(b) Male, white, and at least twenty-five (25) years of age.

Said Board may, in its corporate name, sue and be sued,

contract and be contracted with, acquire real and personal property by gift, purchase or condemnation; and may do all things and exercise all rights and powers reasonably necessary to carry out and perform the duties required by this Act.

The members of this Board shall serve without compensation when attending meetings of the Board but shall be allowed reasonable expenses so incurred. The members shall be allowed reasonable expenses and a per diem of five dollars per day when upon duty in connection with the business of the said Board.

Said Board shall hold regular meetings at the State Capitol at Frankfort, Kentucky, on the first Mondays in January and July of each year and special meetings at the call of the Governor, after due notice. A majority of the members shall constitute a quorum for the consideration of business but an affirmative vote of the majority of all members shall be required for all contracts and agreements creating liabilities or indebtedness.

In the absence of the Governor or Adjutant General the Lieutenant Governor or Assistant Adjutant General may act for them respectively.

§ 2. This Air Board shall provide air ports and air routes together with the necessary equipment, markings, personnel, etc., for the State of Kentucky as best suits the interests and future of aviation, both commercial and military, and for such purposes shall be charged with the administration and expenditure of the Air Fund hereinafter provided.

§ 3. The Air Board may, either alone or in co-operation with counties, cities, or incorporated towns, private corporations, voluntary unincorporated associations or individuals, construct or acquire by purchase, contract, lease, donation or condemnation, air ports, buildings and grounds suitable for air port purposes and the proper safeguards to flying and to make additions and improvements in or to such air ports and

facilities and either alone or with like co-operation of others, provide personnel, heat, light, water, fuel, telephone service, drainage, runways, fueling facilities, and other costs of operation and maintenance, including insurance, and further to bear the expenses of removal or change of such obstructions as shall exist to menace of air travel.

§ 4. The Air Board of Kentucky shall be attached to and be a part of the Military Department of Kentucky. In addition to his other duties the Adjutant General of Kentucky shall be executive officer of the Department of Aviation, shall be responsible to the Governor for the proper functioning of said Department, and shall audit and approve any vouchers issued against the funds of the Air Board before same shall be allowed by the Auditor.

§ 5. In this Act "aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air, except a parachute or other contrivance designed for such navigation, but used primarily as safety equipment. "Operating aircraft" means performing the services of aircraft pilot.

§ 6. The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that aircraft operating within the State should conform with respect to design, construction and airworthiness to the standards prescribed by the United States Government with respect to navigation of aircraft subject to its jurisdiction, it shall be unlawful for any person to navigate an aircraft within the State unless it is licensed and registered by the Department of Commerce of the United States in the manner prescribed by the lawful rules and regulations of the United States Government then in force.

§ 7. The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that a person engaging within this State in navigating the aircraft described in Section 6 hereof

in any form of navigation for which license to operate such aircraft would be required by the United States Government shall have the qualifications necessary for obtaining and holding the class of license required by the United States Government. It shall be unlawful for any person to engage in operating such aircraft within this State in any form of navigation unless he shall have such license.

§ 8. The certificate of the license herein required shall be kept in the personal possession of the licensee when he is operating aircraft within this State, and must be presented for inspection upon the demand of any passenger, any peace officer of this State, or any official, manager or person in charge of any airport or landing field in this State upon which he shall land.

§ 9. The public safety requiring and the advantages of uniform regulation making it desirable, it shall be unlawful for any person to operate any aircraft within this State in any form of navigation whatsoever in violation of the air traffic rules promulgated by the Air Board of the Commonwealth of Kentucky as hereinafter authorized.

§ 10. The Air Board of Kentucky shall, from time to time, promulgate air traffic rules applicable to the operation of aircraft within the Commonwealth. Provided, however, that such air traffic rules shall be identical with the air traffic rules adopted by the United States Government as nearly as may be and in so far as same are applicable; which said air traffic rules shall be maintained in current conditions by likewise promulgating any amendments which may be made effective by the United States Government.

§ 11. All aircraft and aircraft pilots operating in the State of Kentucky shall be registered with the Air Board of Kentucky in such a manner and such detail as may be prescribed by said Board from time to time. A period not to exceed thirty days after the beginning of operation shall be allowed for such registration, provided, however, that no pilot

or aircraft shall operate for hire until such application for registration has been made. And provided further that this shall not aply to transient pilots and aircraft, unless such pilots and aircraft are engaged in temporary exhibitions and carrying passengers for hire from a base within the limits of the Commonwealth of Kentucky, nor to pilots and aircraft operating in interstate commerce and not using a point in Kentucky as a base for any operation. Registration fees for the registration provided for in this section shall be charged for at the rate of five dollars ($5.00) for each aircraft operated in this State, either for hire or otherwise. A registration fee of five dollars ($5.00) shall be charged for all aircraft pilots operating in this State. The registration of aircraft and aircraft pilots shall be caused to be made annually. The certificate of registration, as required in this section, shall be displayed in a conspicuous place on the aircraft or carried in the personal possession of the pilot, as the case may be.

§ 12. All fees collected from the registration of pilots and aircraft under the provisions of this Act shall be paid into the treasury of the Commonwealth of Kentucky for the benefit of the General Expenditure Fund, immediately upon receipt thereof.

§ 13. The Air Board of Kentucky shall cause to be inspected all air domes and landing fields of whatsoever nature within the limits of the Commonwealth of Kentucky for the purpose of determining the safety and adequateness of such facilities for the operation of aircraft. It shall be unlawful for any person, firm or corporation to operate any aircraft for hire from any airport or landing field of any nature whatsoever if it had been declared unfit for such operation by the Air Board of Kentucky.

§ 14. Nothing in this Act shall apply to public aircraft of the Federal Government, or of a State, territory, or possession, or of a political subdivision thereof, or to aircraft licenses by a foreign country with which the United States has a reciprocal agreement covering the operation of such licensed aircraft.

§ 15. Any person who violates any provision of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars ($100.00) or by imprisonment for not more than ninety days, or both. Provided, however, that acts or omissions made unlawful by this Act shall not be demed to include any act or omission which violates the laws or lawful regulations of the United States, but it shall not be necessary to allege or prove, as part of the case for the people, that the defendant is not amenable, or account of the alleged violation, to prosecution under the laws of the United States. That he is amenable to such prosecution shall be matter of defense, unless it affirmatively appear from the evidence adduced by the people.

§ 16. It shall be unlawful for any person, firm or corporation to navigate, or cause to be navigated, aircraft within this State except in conformity with the rules and regulations laid down by the Air Board of Kentucky and in conformity with this Act.

§ 17. Any person who shall, without the consent of the owner, go upon or enter, tamper with, or in any way damage or injure any aircraft, shall be guilty of a misdemeanor and shall be punished consistent with the laws of the State.

§ 18. The Air Board of Kentucky is hereby empowered to employ a reasonable and necessary personnel, fix their compensation and prescribe their duties. To administer the provisions of this Act and for such purpose, the Board is authorized to make such regulations as are necessary to execute the functions vested in it by this Act.

§ 19. Should any section of this Act be found in conflict with the Constitution of the Commonwealth of Kentucky, such unconstitutionality shall not affect any other section herein.

§ 20. There being urgent need for the promotion of aviation in Kentucky and it being considered that this Act should be placed in effect as soon as possible, an emergency is hereby

declared, and this Act shall take effect from and after its passage as required by law.

Senator Royster proposed the following resolution:

SENATE RESOLUTION 33.

Resolution authorizing Mrs. Anna May Trigg to sue the Commonwealth of Kentucky and the State Highway Commission or either.

Whereas, on August 5, 1929, the State Highway Commission was engaged in the construction of Highway 60, in Henderson County, Kentucky, near the town of Corydon, Ky., and

Whereas, said commission through its agents, workers, and employees, negligently left burning trash along said highway and went to lunch at the noon hour; that fire from the burning trash spread to the orchard of the said Mrs. Anna May Trigg, destroying forty, eighteen year old apple trees worth $25.00 apiece; also one lot of fences valued at $35.00; one farm wagon valued at $50.00, and 250 growing tobacco plants valued at $25.00. That said damage was fixed by three disinterested parties, the total of which was $1,160.00, and

Whereas, said injuries mentioned above are alleged to be permanent and complete, thereby damaging the sale of said farm to the extent of said $1,160.00, now in order to determine by judicious action the question of damages.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the said Mrs. Anna May Trigg is hereby authorized, empowered, and permitted to sue the Commonwealth of Kentucky and the State Highway Commission or either, in the Henderson County Circuit Court for said damages.

In the event that any judgment is recovered by the said

Mrs. Anna May Trigg, or her attorney, the same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer. The Commonwealth of Kentucky and State Highway Commission or either shall have the right to appeal as in other civil cases.

Said resolution was referred to Committee on Kentucky Statutes No. 1.

COMMITTEE REPORTS

Senator Bondurant of the Committee on Insurance, to which had been referred a bill of the following title:

S. B. 220. An Act granting members of Fraternal Benefit Societies the right to designate certain beneficiaries to receive the payment of death benefits; exempting certain societies from the provisions of the act; and amending Sections 681c-6 and 681c-29 of Carroll's Kentucky Statutes; and repealing said sections and all laws and parts of laws in conflict therewith.

Reported with expression of opinion that same ought to pass.

Senator Isaacs of the Committee on Drains and Ditches, to which had been referred a bill of the following title:

S. B. 328. An Act to repeal and re-enact Section 4365r of Kentucky Statutes, Carroll's 1930 Edition, relating to county road overseers.

Reported with expression of opinion that same ought to pass.

Senator Isaacs of the Committee on Drains and Ditches, to which had been referred a bill of the following title:

S. B. 329. An Act to repeal and re-enact Section 1845 of

Kentucky Statutes, Carroll's 1930 Edition, relating to compensation of members of Fiscal Courts.

Reported with expression of opinion that same ought to pass.

Senator Johnson of the Committee on Judicial Council, to which had been referred a bill of the following title:

S. B. 332. An Act to amend and re-enact Section 1472, Carroll's Kentucky Statutes, 1922 Edition.

Reported with expression of opinion that same ought to pass.

CALENDAR

Senator Gates F. Young moved that the second reading of bills and resolutions at length be dispensed with and that they be read by their titles only.

Said motion was agreed to by a majority of the members elected.

It was ordered that the bills and resolutions be read by their titles only, and placed in Orders of Day.

Said titles to bills are as follows:

SENATE RESOLUTION 23

Joint Resolution for the benefit of the City of Hardinsburg, Ky., and authorizing the State Highway Commission of Kentucky to ascertain the cost of construction of Federal Aid Highway No. 60 through the corporate limits of said city over the route hereinafter described, and to pay the amount thereof to the City of Hardinsburg.

S. B. 1. An Act authorizing, regulating and governing the transportation for hire of persons and property by motor vehicles on public highways; giving the Railroad Commission

of Kentucky certain powers with respect thereto; providing for the payment of fees and for the payment of taxes; giving the State Tax Commission certain powers in connection therewith; prescribing punishment and penalties; and repealing all laws in conflict herewith.

H. B. 78. An Act to amend Section 1072 of Carroll's Kentucky Statutes, 1930 Edition.

S. B. 15. An Act to permit parties to legally stipulate to pay attorney's fees in bills of exchange, notes and other written contracts.

S. B. 101. An Act to regulate further Motor Trucks, Semi-Trailer Trucks, Semi-Trailers, and Trailers, to enlarge the powers of the State Highway Commission, County Courts, and Cities and incorporated Towns in respect thereof, to provide for enforcement of the Act and penalties for violations thereof, and repealing all laws inconsistent therewith.

S. B. 223. An Act to amend Section 192 of the present Constitution of the Commonwealth of Kentucky.

S. B. 306. An Act to amend and re-enact Section 4148, Kentucky Statutes, Carroll's 1930 Edition, relating to the time and manner of payment of taxes.

S. B. 274. An Act providing that it shall be unlawful for the mayor and members of Boards of Councils of Cities of the Fourth Class to vote for any relatives by blood or marriage for any office set out in the Charter of the aforesaid class cities, and providing penalty therefor.

ORDERS OF THE DAY

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 45. An Act to repeal Chapter 20 of the Acts of the General Assembly of 1930 relating to the establishment of a

Judicial Council of the Commonwealth of Kentucky and providing for its duties and expense.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 20 of the Acts of the General Assembly of 1930 be and the same is hereby repealed.

Senator Van Hoose proposed the following amendment to said bill:

Amend S. B. 45 to read "General Assembly of 1928."

Senator Van Hoose moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative.

Said amendment was adopted.

Ordered that said bill be read the third time.

Senator Van Hoose moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

Senator Franklin moved that said bill be laid on the table.

The yeas and nays, being required thereon by Senators Van Hoose and Rose, resulted as follows:

Those who voted in the affirmative were:

Jas. H. Bondurant	Perry B. Gaines	O. M. Rogers
W. W. Booles	Arch Hamilton	Joe Stewart
H. M. Brock	J. S. W. Holloway	Thos. O. Turner
Edwin C. Dawson	Robert Humphreys	Sewell B. Williams
Thos. C. Ferguson	Wm. Isaacs	Allie W. Young
Walter N. Flippin	Alex E. Johnson	
Chas. G. Franklin	Ray B. Moss	—19

Those who voted in the negative were:

Dr. T. J. Edge	C.T.McCormick,Sr.	F. M. White
L. C. Littrell	Wm. Mehler	Gates F. Young
Frank I. Lloyd	J. M. Rose	
Rev. C. D. McCaw	Fred C. VanHoose	—10

And said bill was tabled.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 191. An Act prescribing the purpose, duties and authority of the Department of Labor.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It is hereby made the purpose and duty of the Department of Labor and authority is hereby conferred on the said department:

(a) —to foster, promote and develop the welfare of the wage earners, to improve their working conditions and to advance their opportunities for profitable employment.

(b) —to enforce the laws of the State pertaining to working hours, wages and working conditions, and to enforce the laws and lawful rules and regulations pertaining to health, sanitation, fire prevention and safety to life in places of employment.

(c) —to acquire and diffuse information in relation to the prevention of industrial injuries, accidents and occupational diseases and other related subjects, and the department shall promote the prevention of industrial injuries, accidents and occupational diseases to the fullest extent.

(d) —to acquire and diffuse useful information on subjects connected with labor in the most general and comprehensive sense of that word, and concerning the means of promoting the material, social, intellectual and moral prosperity of laboring men and women.

(e) —to acquire information and report upon the general conditions, so far as production is concerned, of the leading industries of the State, and to collect, collate, assort, systematize and report statistical details of the manufacturing industries and commerce of the State.

(f) —to acquire and diffuse information as to the conditions of employment, and such other facts as may be deemed of value to the industrial interests of the State.

(g) —to collect, collate, assort, systematize and report statistical details relating to all departments of labor, especially in its relation to commercial, industrial, social, educational and sanitary conditions, and to the permanent prosperity of the manufacturing and productive industries.

(h) —to require, in such form as may be prescribed, reports from employers as may be necessary to carry out the purposes and duties imposed by this Act, and, in default thereof and after reasonable demand, such defaulting employer shall be liable to a fine of not less than ten dollars, nor more than one hundred dollars.

(i) —data collected under authority herein granted shall not be made public in such form as to disclose the private affairs of individuals, firms or corporations.

(j) —to compute and report, from data collected, monthly index numbers showing the trend and volume of employment and earnings, and, so far as feasible, the trend and volume of unemployment, in the various industries, trades, occupations and localities in this State.

(k) —the department in collecting statistics, devising forms, and preparing and publishing reports, shall, so far as feasible, cooperate with agencies of the United States and other States engaged in similar activities, to the end that uniform methods for collecting, compiling and publishing such statistics may be adopted, and duplication and other wastes may be avoided.

Senator McCaw proposed the following amendment to said bill:

Amend Senate Bill 191 by striking out on page 2, lines 31 to 38 inclusive, same being paragraph (h) and (i) thereof, in the printed bill.

Senator McCaw moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Ordered that said bill be read the third time.

Senator McCaw moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and rejected.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows:

Those who voted in the affirmative were:

W. W. Booles	Wm. Mehler	E. D. Stephenson
Dr. T. J. Edge	O. M. Rogers	Fred C. VanHoose
Frank I. Lloyd	J. M. Rose	
Rev. C. D. McCaw	Dr. Lewis Ryans	—10

Those who voted in the negative were:

H. M. Brock	L. C. Littrell	Joe Stewart
Arch Hamilton	C.T.McCormick,Sr.	Thos. O. Turner
Silas Jacobs	D. C. Naive	F. M. White
Alex E. Johnson	Dr. G. W. Ragan	—11

Therefore said bill was rejected.

Senator Johnson moved that the vote by which said bill was lost be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 192. An Act to establish an employment service, providing for co-operative agreement with county, municipal, school and Federal government agencies; prescribing the duties and authority of the chief officer of the Department of Labor to carry out the objects of this Act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in order to provide an employment service for men, women and minors seeking employment; for employers seeking employees; to stabilize employment; to co-operate with counties, municipalities, school and the United States Employment Service; for the extension of vocational guidance to minors and aid to the physically handicapped, there is hereby established in the Department of Labor a "Kentucky Employment Service," and

§ 2. It shall be the duty of the chief officer of the Department of Labor and he is hereby empowered subject to the advice and consent of the Commissioner of Agriculture, Labor and Statistics:

(a) To establish and conduct employment offices in the State where such offices are deemed advisable.

(b) To ascertain and make known the opportunities for employment.

(c) To create and maintain such divisions of the employment service as will best serve the public welfare.

(d) To co-operate with existing State and Federal agencies in extending vocational guidance to minors seeking employment.

(e) To render especial assistance to physically handicapped persons seeking employment, to help them become self supporting and aid in the support of their dependents.

(f) To co-operate with county agricultural agents and farmers' agencies to ascertain needs of labor and mobilization and distribution of labor among the agricultural classes.

(g) To devise and adopt the most efficient means to avoid unemployment.

(h) To establish relations with employers and organizations for the purpose of supplying demands for labor, for the stabilizing and prevention of unemployment.

(i) To make public through newspapers and other media information as to employment available.

(j) To investigate economic developments, the extent and causes of unemployment and remedial projects advanced by agencies, private or governmental, for the purpose of preparing for the General Assembly facts which may make further legislation desirable.

(k) To collect, collate and publish statistical and other information from all sources considered pertinent to the work within the employment service jurisdiction and shall use this data in the publication and dissemination of changing social and economic conditions that might adversely affect employers, employees and the general public.

(l) To correlate the functions of the employment service with private and public agencies such as the United States Employment Service, the United States Bureau of Labor Statistics, the Red Cross, the Rehabilitation Service, War Veteran organizations, county and municipal welfare agencies and such other organizations of similar function and intent in order that the Kentucky Employment Service shall be utilized as a central base or focal point as a survey agency, alleviation and distribution point for the relief of distress among workers and the public in times of economic depression or an emergency.

(m) To enter into agreement with the governing authorities of any county or municipality in the State for such period of time as may be deemed advisable for the purpose of establishing and maintaining local employment offices.

(n) To enter into agreement with the governing authorities of any school district for the extension of vocational guidance to minors.

(o) To enter into agreement with the United States Employment service, or such bureau of the United States Department of Labor designated or may hereafter be authorized by the United States Congress for the purpose of securing financial and other aid from the United States government for the establishment and maintenance of a public employment service in Kentucky.

(p) To appoint advisory committees to assist in conducting an efficient employment service.

(q) To accept and solicit monies for the Kentucky Employment Service from private sources not incompatible to the welfare and efficiency of the provisions of this Act and the Kentucky Employment Service, and all such monies collected shall be accounted for to the State Auditor and credited to the account and use of said employment service.

§ 3. No fee, charge or other perquisite shall be accepted or exacted for any service rendered applicant-worker or employer by said employment service.

Ordered that said bill be read the third time.

Senator McCaw moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Dr. T. J. Edge	Wm. Mehler	E. D. Stephenson
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Robert Humphreys	Marion F. Pogue	W. A. Yates
Wm. Isaacs	O. M. Rogers	Gates F. Young
Frank I. Lloyd	J. M. Rose	
Rev. C. D. McCaw	Dr. Lewis Ryans	—16

Those who voted in the negative were:

Arch Hamilton	C.T.McCormick,Sr.	Joe Stewart
Silas Jacobs	D. C. Naive	Thos. O. Turner
Alex E. Johnson	R. H. Royster	Allie W. Young
		—9

Resolved that the title thereof be as aforesaid.

Senator McCaw moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 49. An Act relating to public officers of the Commonwealth.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Membership in or affiliation with any political party shall not be considered, and shall not be, any part of the qualifications of any person for appointment to or the holding of any public appointive office of the Commonwealth of Kentucky.

All laws or parts of laws in conflict herewith, to the extent of such conflict, are hereby repealed.

Senator Hamilton moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	O. M. Rogers
W. W. Booles	Silas Jacobs	R. H. Royster
Edwin C. Dawson	L. C. Littrell	Joe Stewart
Thos. C. Ferguson	Rev. C. D. McCaw	Sewell B. Williams
Chas. G. Franklin	C.T.McCormick,Sr.	W. A. Yates
Perry B. Gaines	D. C. Naive	Allie W. Young
Arch Hamilton	Marion F. Pogue	Gates F. Young
J. S. W. Holloway	Dr. G. W. Ragan	—23

Those who voted in the negative were:

H. M. Brock	Alex E. Johnson	Dr. Lewis Ryans
Dr. T. J. Edge	Frank I. Lloyd	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
Wm. Isaacs	Ray B. Moss	F. M. White
		—12

Resolved that the title thereof be as aforesaid.

Senator Hamilton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 283. An Act to amend Sections 1078 and 1079 of Carroll's Kentucky Statutes, 1930 Edition, in relation to the apportionment of magisterial districts.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1078 of Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended so that when amended the same shall read as follows:

There shall be established in each county in this State not less than three nor more than four justices' districts.

§ 2. That Section 1079 of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby amended so that the same as amended shall read as follows:

The Fiscal Court of each county shall, in open court, or in open session, as the case may be, appoint three competent citizens of the county over twenty-one years of age and residing in different portions of the county, and in different justices' districts, as commissioners to divide the county into not less than three nor more than four justices' districts. The commissioners, before they proceed to act, shall be sworn to faithfully discharge their duties.

§ 3. That the provision of this act shall not begin to

apply to the office of justice of the peace, or the office of constable, until the expiration of the term of office in each instance, which is current and unexpired upon the effective date of this act. At the regular election for justice of the peace and constables in 1933 such justices and constables shall be elected for the district under the apportionment of such districts as provided for in this act.

§ 4. All acts and parts of acts in conflict herewith are hereby repealed.

Senator Stephenson proposed the following amendment to said bill:

Amend Senate Bill 283 by adding at end of Section 3, the following: Section 3-A. The provisions of this Act shall not apply to counties containing cities of the first class.

Senator Stephenson moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative.

Said amendment was adopted.

Senator Stephenson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said

bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

H. M. Brock	Wm. Isaacs	O. M. Rogers
Edwin C. Dawson	Alex E. Johnson	Dr. Lewis Ryans
Dr. T. J. Edge	L. C. Littrell	E. D. Stephenson
Thos. C. Ferguson	Rev. C. D. McCaw	Fred C. VanHoose
Walter N. Flippin	Wm. Mehler	Sewell B. Williams
Chas. G. Franklin	Ray B. Moss	Allie W. Young
Perry B. Gaines	Marion F. Pogue	Gates F. Young
Arch Hamilton	Dr. G. W. Ragan	—23

Those who voted in the negative were:

Jas. H. Bondurant	C.T.McCormick,Sr.	Thos. O. Turner
Robert Humphreys	D. C. Naive	F. M. White
Silas Jacobs	J. M. Rose	
Frank I. Lloyd	Joe Stewart	—10

Resolved that the title thereof be as aforesaid.

Senator Stephenson moved that the vote by which said bill was passd be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 51. An Act to amend and re-enact Section 4 of Chapter 49 of the 1930 Acts of the General Assembly of the Commonwealth of Kentucky.

Senator Allie W. Young moved that said bill be recommitted to the Committee on Suffrage and Elections, with leave to report at any time.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

Senator Ryans moved that the Senate recess until 1:30 o'clock P. M.

Said motion was agreed to.

The Senate reconvened at 1:30 o'clock P. M.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 243. An Act amending Section 4706, Kentucky Statutes, Carroll's 1930 Edition.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4706, Kentucky Statutes, Carroll's 1930 Edition, be and the same hereby is amended so that said section as amended shall read as follows: It shall be lawful for persons or corporations holding funds in a fiduciary capacity for loan or investment, to invest the same in bonds or other interest bearing obligations of the Government of the United States of America; bonds or State Warrants and other interest bearing obligations of the State of Kentucky; securities authorized by an Act of Congress entitled "The Federal Farm Loan Act," and approved July 17, 1916; and real estate, real estate mortgage notes, bonds and other interest bearing or dividend paying securities which would be regarded by prudent business men as safe investments; and to make loans with such securities as collateral; and a fiduciary shall account for all interest or profit received.

Where securities originally received by a fiduciary do not meet the requirements for the investment of trust funds as provided in this statute, or where securities in which trust funds have been properly invested thereafter become ineligible for investment of trust funds as provided in this statute, then such ineligible securities shall be sold at such time, and upon such terms and conditions, or shall be held or otherwise handled in such manner, as prudent business men would, under the particular circumstances, consider proper; and a fiduciary shall be responsible for otherwise acting.

All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

Senator Franklin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Perry B. Gaines	Frank I. Lloyd
W. W. Booles	Arch Hamilton	C.T.McCormick,Sr.
H. M. Brock	Robert Humphreys	Wm. Mehler
Edwin C. Dawson	Wm. Isaacs	Ray B. Moss
Thos. C. Ferguson	Silas Jacobs	D. C. Naive
Walter N. Flippin	Alex E. Johnson	Dr. G. W. Ragan
Chas. G. Franklin	L. C. Littrell	O. M. Rogers

J. M. Rose	E. D. Stephenson	Fred C. VanHoose
R. H. Royster	Joe Stewart	W. A. Yates
Dr. Lewis Ryans		—28

Resolved that the title thereof be as aforesaid.

Senator Franklin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 255. An Act to regulate traffic over and upon bridges and ferries now or hereafter owned or operated by the Commonwealth of Kentucky through its agent, the State Highway Commission of Kentucky; making it unlawful for any person to injure, deface or damage any bridge or ferry, or any part thereof, so owned and operated; making it unlawful for any person, except those specifically exempted by this Act, to pass over or upon any bridge or ferry so owned or operated without paying the required toll; vesting in collectors of tolls stationed at or upon any bridge or ferry so owned or operated with the powers of peace officers; vesting in the State Highway Commission of Kentucky power to make rules and regulations for the enforcement of this Act, and, also, prescribing penalties for the commission of offenses defined in this Act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any person or persons to injure, deface or damage, or to attempt to injure, deface or damage in any manner whatsoever, any bridge or ferry, or any part thereof, now or hereafter owned or operated by the

Commonwealth of Kentucky; and any person or persons so offending shall, upon conviction for each offense, be deemed guilty of a misdemeanor and shall be fined not less than $10.00 nor more than $300.00, and shall be confined for not less than ten days nor more than six months, within the discretion of the jury.

§ 2. That it shall be unlawful for any person or persons, except employees of the State Highway Commission of Kentucky, while engaged in the discharge of their duties, and except as otherwise provided in this Act, to pass over or upon any bridge or ferry now or hereafter owned or operated by the State Highway Commission of Kentucky, upon which bridge or ferry tolls are at such time regularly collected, without paying to the collector of tolls then stationed at such bridge or ferry at the time of such passage, in legal tender, such amount of toll as may be prescribed by rule or regulation of the State Highway Commission of Kentucky, or by law, for passage over such bridge or ferry, including vehicular traffic over or upon any such bridge or ferry; and any person or persons so offending, upon conviction of this offense shall be guilty of a misdemeanor and shall be fined not less than $10.00 nor more than $100.00 for each offense.

§ 3. Nothing contained in Section 2 of this Act shall be construed as requiring the personnel of the Kentucky National Guard, while engaged in the discharge of official business, to pay to the collector of tolls stationed at any bridge or ferry within the purview of this Act the tolls regularly collected at such bridge or ferry, either for the passage of himself or for the conveyance of the military property of the State in his charge; provided, however, that a member of such personnel shall, at the time of passage over or upon any such bridge or ferry, exhibit to the collector of tolls, stationed thereat, a written official order indicating that such person or persons are at the time engaged upon official business, and unless as so exhibited such passage shall be unlawful.

§ 4. That for purposes of the enforcement of this Act

every person appointed or employed by the State Highway Commission of Kentucky to be a collector of tolls upon or at any bridge or ferry now or hereafter owned or operated by the Commonwealth of Kentucky, through its agent, the State Highway Commission of Kentucky, shall possess and exercise all of the powers now vested by law in peace officers within this Commonwealth; provided, however, that the powers herein conferred upon collectors of tolls are expressly limited to the arrest and prosecution of persons committing public offenses upon the highways, bridges and ferries so owned or operated, and the approaches thereto, within this Commonwealth, and all things incident thereto.

§ 5. That every person so appointed by the State Highway Commission of Kentucky to be a collector of tolls upon any bridge or ferry so owned or operated with this Commonwealth shall, before entering upon the discharge of his duties, execute bond to the Commonwealth with good and sufficient surety, conditioned for the faithful performance of his duties as such collector of tolls, and shall take and subscribe the constitutional oath of office. Said bond and said oath so subscribed by every collector of tolls shall be executed either in the County Court of the County in which such collector resides, or in the office of the State Highway Commission of Kentucky, and shall be approved by said Commission or the chairman thereof, the originals or certified copies thereof, as the case may be, shall be duly filed and entered of record in the office of the State Highway Commission of Kentucky. All such collectors of toll shall be subject to all the penalties, liabilities and obligations now imposed by law on peace officers.

§ 6. For the further purpose of enforcing this Act, the State Highway Commission of Kentucky is hereby vested with power and authority to make and promulgate such rules and regulations, not inconsistent with the Constitution and laws of this Commonwealth, as may be necessary to effectuate the purposes of this Act.

§ 7. All laws or parts of laws conflicting herewith are hereby repealed.

§ 8. Whereas, considerable difficulty has arisen in connection with the maintenance and operation of bridges and ferries now owned or operated by the Commonwealth through its agent, the State Highway Commission of Kentucky, resulting in conflicts between collectors of tolls stationed thereat and numerous persons seeking passage upon such bridges and ferries, and

Whereas, the need is urgent and necessary for immediate relief for the protection of the Commission, its agents, servants and employees, of the maintenance and operation of such bridges and ferries and in the collection of tolls thereon.

Therefore, an emergency is hereby declared to exist and this Act shall take effect immediately upon and after its passage by the General Assembly and approval by the Governor.

Senator Jacobs proposed the following amendment to said bill:

Amend Senate Bill No. 255 by striking therefrom lines 7, 8 and 9 of Section 1 on page 2 of the printed bill and substituting therefor the words "than $10.00 nor more than $300.00 or confined in the county jail not less than ten days nor more than six months or both so fined and imprisoned in the discretion of the jury."

Senator Jacobs moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative.

Said amendment was adopted.

Ordered that said bill be read the third time.

Senator Gaines moved that the third reading of said bill

at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	Marion F. Pogue
W. W. Booles	Wm. Isaacs	Dr. G. W. Ragan
H. M. Brock	Silas Jacobs	O. M. Rogers
Edwin C. Dawson	Alex E. Johnson	R. H. Royster
Dr. T. J. Edge	L. C. Littrell	Dr. Lewis Ryans
Thos. C. Ferguson	Frank I. Lloyd	Joe Stewart
Walter N. Flippin	C.T.McCormick,Sr.	E. D. Stephenson
Chas. G. Franklin	Wm. Mehler	Fred C. VanHoose
Perry B. Gaines	Ray B. Moss	W. A. Yates
Arch Hamilton	D. C. Naive	—29

Resolved that the title thereof be as aforesaid.

Senator Gaines moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 254. An Act to amend and re-enact Section Seventeen Hundred Sixty-three (1763) of Carroll's Kentucky Stat-

utes, Nineteen Hundred and Thirty Edition, as amended by Chapters 113 and 123 of the Acts of the General Assembly of 1930, and to fix the salary of the chief deputy in the office of the sheriff in counties having a population of Two Hundred Thousand (200,000) or over.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section Seventeen Hundred Sixty Three (1763) of Carroll's Kentucky Statutes, 1930 Edition, as amended by Chapters 113 and 123 of the Acts of the General Assembly of 1930, be and the same is hereby amended, by striking therefrom the words and figures "Twenty-five Hundred ($2500) Dollars" in connection with the salary of the chief deputy sheriff in counties having a population of 200,000 or over and in lieu thereof, inserting the words and figures "Four Thousand ($4,000) Dollars" and by striking therefrom the word "chief," preceding the words "deputy sheriffs" so that, when said section is so amended and re-enacted, the same shall read as follows:

"The salary of the chief deputy of each of said officers shall be two thousand ($2,000.00) dollars per year, and the salary of each of the other deputies shall be fixed at a reasonable amount not exceeding fifteen hundred ($1,500.00) dollars per year, provided that in counties having a population of two hundred thousand (200,000) or over, the salary of the chief deputy sheriff shall be fixed at a reasonable amount not exceeding four thousand ($4,000.00) dollars a year, and the salary of each of the other deputy sheriffs shall be fixed at a reasonable amount not exceeding two thousand ($2,000.00) dollars per year, and provided further that in counties having a population of two hundred thousand (200,000) or over, the salary of the chief deputy court clerk shall be fixed at a reasonable amount, not exceeding twenty-five hundred ($2,500.00) dollars a year, and the salary of each of the other deputies

in the office of the circuit court clerk shall be fixed at a reasonable amount not exceeding two thousand ($2,000.00) dollars per year.

And provided further that in counties having a population of two hundred thousand (200,000) or over the salaries of the first four deputy county court clerks shall be fixed at a reasonable amount not exceeding two thousand five hundred ($2,500.00) dollars per year, and the salary of each of the other deputies in the office of the county court clerk shall be two thousand ($2,000.00) dollars per year.

§ 2. The necessity for efficient and adequate compensated help and assistance in the management of the office of the sheriff in counties having a population of two hundred thousand (200,000) or over, is immediate and urgent, and therefore, an emergency is hereby declared to exist, and this Act shall take effect immediately after its passage.

Senator Franklin moved that said bill be laid on the table.

The yeas and nays being required thereon by Senators Ryan and Johnson, resulted as follows:

Those who voted in the affirmative were:

Jas. H. Bondurant	Chas. G. Franklin	E. D. Stephenson
Edwin C. Dawson	L. C. Littrell	Joe Stewart
Walter N. Flippin	R. H. Royster	W. A. Yates

—9

Those who voted in the negative were:

H. M. Brock	Silas Jacobs	Marion F. Pogue
Dr. T. J. Edge	Alex E. Johnson	Dr. G. W. Ragan
Thos. C. Ferguson	Frank I. Lloyd	O. M. Rogers
Perry B. Gaines	C.T.McCormick,Sr.	J. M. Rose
Arch Hamilton	Wm. Mehler	Dr. Lewis Ryans
Robert Humphreys	Ray B. Moss	F. M. White
Wm. Isaacs	D. C. Naive	

—20

Said motion was rejected and said bill was placed upon its passage.

Ordered that said bill be read the third time.

Senator Lloyd moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	Wm. Isaacs	Marion F. Pogue
H. M. Brock	Silas Jacobs	Dr. G. W. Ragan
Edwin C. Dawson	Alex E. Johnson	O. M. Rogers
Dr. T. J. Edge	Frank I. Lloyd	J. M. Rose
Thos. C. Ferguson	C.T.McCormick,Sr.	Dr. Lewis Ryans
Perry B. Gaines	Wm. Mehler	F. M. White
Arch Hamilton	Ray B. Moss	Sewell B. Williams
Robert Humphreys	D. C. Naive	—23

Those who voted in the negative were:

Jas. H. Bondurant	R. H. Royster	W. A. Yates
Chas. G. Franklin	E. D. Stephenson	
L. C. Littrell	Joe Stewart	—7

Resolved that the title thereof be as aforesaid.

Senator Ryans moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 145. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky, passed March 1912.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 57. An Act to repeal and re-enact Section 2290-B Carroll's Kentucky Statutes, addition the same being Chapter 123 of the Acts of the General Assembly of 1910, providing that eight (8) shall constitute a day for laborers and mechanics employed on all public works in this Commonwealth. And Providing for the enforcement of and penalties for violation thereof.

Senator Rose moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages: providing preference for employment of citizens of Kentucky on public works; and further providing for definition of terms used, enforcement of and penalty for violation of this act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 107. An Act relating to jailers and providing for the consolidation of the office of jailer with that of the sheriff, providing that the duties of the jailers in each county of the Commonwealth of Kentucky shall be performed by the Sheriff of the county, and providing for compensation for the sheriff for performing his duties as jailer of each county of the Commonwealth of Kentucky, and providing for the dieting of prisoners confined in the county jail in each county of the Commonwealth of Kentucky; and repealing Section 1730, Section 2231 and Section 2232, Carroll's Kentucky Statutes, 1930 Edition.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 170. An Act defining school districts; setting out powers and duties of boards of education therein; indicating procedure relating to the organization, control and operation of the common schools therein; providing for the general welfare of the public schools of the Commonwealth; providing for a uniform census every three years; exempting school pupils from toll on roads, bridges and ferries; repealing various scattering provisions of old law relating to division boards of educations and other provisions covered by this Act or not consistent with it.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of three hundred dollars or less, secured or unsecure, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest, discount, consideration, or charge than six per centum per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars or less, providing for the administration of this act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and findings of the banking commissioner under this act, and repealing so much of section 4224A, Carroll's Kentucky Statutes, 1930, as applies to persons licensed under this act, and limiting the application of sections 2218 and 2219, Carroll's Kentucky Statutes, 1930, and repealing all acts and parts of acts in conflict with the provisions of this act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 30. An Act to repeal and re-enact Section No. 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

Senator Stewart moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 172. An Act defining plumbing, master plumber and journeyman plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to qualified registered master plumbers and registered journeyman plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky and also granting to the State Board of Health of Kentucky the power to adopt and promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating the kind of materials and fixtures including supply pipes, waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this act and providing penalties for violation of the provisions of this Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 112. An Act relating to grand juries and amending and re-enacting Sections 2249 and 2251, Carroll's Kentucky Statutes 1930 Edition.

Senator Franklin moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 33. An Act to amend and re-enact sections 965-35, Kentucky Statutes, 1930, Carroll's Edition, as amended by Chapter 29, of 1930, Acts of the General Assembly of the Commonwealth of Kentucky, fixing time of holding court in the 35th Judicial District of Kentucky, and declaring an emergency.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 154. An Act authorizing cities of the fourth and fifth classes to provide insurance or maintenance for arresting officers, who may sustain injury, in discharge of their official duty, which incapacitates such officer; and support for widows and orphans of such officers who lose their lives in discharge of official duty, and provide funds and taxes therefor, and procedure for securing same and determining amounts to be paid; and for trials, and appeals concerning same.

Senator Moss moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 213. An Act to promote safety in places of employment, elevators, boilers and pressure vessels, creating a Kentucky Industrial Safety Board in the Department of Labor. Providing for the appointment and qualifications of members thereof, and defining its powers and duties; providing that the chief officer of the Department of Labor shall be the secretary and administrative officer of said Board, prescribing the duties of said secretary, and providing that he shall perform

said duties without additional, compensation; authorizing the employment of necessary employees; and making an appropriation for the administration of this Act; and providing penalties for the violation thereof; and providing for the payment of certain fees for inspection boilers, and for enforcing payment thereof by actions in the Franklin Circuit Court, and further providing for variations in and for review of the rules and orders of said Board and for appeals therefrom.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 93. An Act to amend and re-enact Section 1461 of the 1930 edition of Carroll's Kentucky Statutes.

Senator Humphreys moved that said bill be recommitted to the Committee on Kentucky Statutes No. 1 with leave to report at any time.

The question being taken thereon, was decided in the affirmative, and

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 275. An Act repealing Section 2739f-4, Kentucky Statutes, Carroll's 1930 Edition, including all and singular subsections thereof, being all of Chapter 26 of the Acts of the General Assembly of 1922; and enacting in lieu thereof an act creating a commission of five members to be known as "My Old Kentucky Home Commission," fixing the qualifications and terms of office of the members of said Commission, and prescribing the powers and duties of said Commission; and declaring an emergency to exist.

Senator Dawson moved that said bill be recommitted to the Committee on Kentucky Statutes No. 1.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 209. An Act to amend and re-enact Section 3024-a-4 of Carroll's Kentucky Statutes, 1930 Edition, which is Section 4 of Chapter 16 of the Acts of the General Assembly of 1906, pertaining to the controlling, management and operation of Water Works in cities of the first class.

Senator Yates moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 151. An Act, relating to the safe development and operation of minerals; providing regulations for the location of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells; defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 94. An Act to amend and re-enact Section 1460 of the 1930 edition of Carroll's Kentucky Statutes.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 95. An Act to amend and re-enact Section 1482 of the Baldwin's 1931 Supplement to Carroll's Kentucky Statutes, and being section 4 of Chapter 49 of the Acts of the General Assembly of the Commonwealth of Kentucky at its 1930 Session.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 42. An Act authorizing the Board of Regents of the Morehead State Teachers College to acquire by gift certain property in Johnson County and thereto to establish, operate and maintain a Normal School and Teachers College at Paintsville, in Johnson County, Kentucky, under the name of "John C. C. Mayo College of the Morehead State Teachers College."

Senator Van Hoose moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 305. An Act to fix and regulate jury fees where two or more cases are consolidated and tried together.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whenever two or more cases in the courts of this Commonwealth are consolidated by order of the Court, and tried together, there shall be collected by the Clerk but one jury fee of four ($4.00) dollars.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Senator Hamilton moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its titled and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Thos. C. Ferguson
W. W. Booles	Edwin C. Dawson	Walter N. Flippin

Chas. G. Franklin	Frank I. Lloyd	J. M. Rose
Perry B. Gaines	C.T.McCormick,Sr.	R. H. Royster
Arch Hamilton	Wm. Mehler	Dr. Lewis Ryans
Robert Humphreys	Ray B. Moss	E. D. Stephenson
Wm. Isaacs	D. C. Naive	Joe Stewart
Silas Jacobs	Dr. G. W. Ragan	Fred C. VanHoose
Alex E. Johnson	Marion F. Pogue	W. A. Yates
L. C. Littrell	O. M. Rogers	—29

Resolved that the title thereof be as aforesaid.

Senator Hamilton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 148. An Act relating to charitable and correctional institutions and providing for the conveyance of sites on the ground or other real estate now held or hereafter acquired by or to the State Board of Charities and Corrections or any charitable or correctional institution of the Commonwealth, or now held or hereafter acquired by the Commonwealth of Kentucky for use of said Board or institutions, for building to be used in connection with said Board or institutions; providing for the erection of buildings thereon, providing for the leasing of such site and building to such Board or institutions at a rental which will amortize the cost of the erection of such buildings; and providing for the reacquisition of the title thereto by such Board.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That for the purpose of providing buildings to be

used in connection with charitable and correctional institutions, the State Board of Charities and Corrections is hereby authorized and empowered to convey or be invested with a fee simple title with covenant of general warranty of title to a site for any building on the grounds or other real estate now held or hereafter acquired by said board or the charitable or correctional institutions of this Commonwealth, or now held or hereafter acquired by the Commonwealth of Kentucky for the use or benefit of said board or the charitable and correctional institutions of this Commonwealth to any person or corporation complying with the provisions of Section 2 and 3 of this act.

§ 2. Every person or corporation to whom a building site for a building has been conveyed as provided for by Section 1, of this act shall immediately enter into a contract or contracts in writing with some person or persons, corporation or corporations approved by the State Board of Charities and Corrections, for the immediate erection on said site of a building with the necessary appurtenances, according to plans and specifications to be approved by the State Board of Charities and Corrections; said contract shall provide the time when said building shall be completed and contractor or contractors shall enter into a bond with the Commonwealth of Kentucky for the benefit of said board or the charitable and correctional institutions of this Commonwealth in the penal sum of not less than 25 per cent of the contract price for the completion of the work in the manner and within the time set out in the contract.

§ 3. Immediately upon the execution of said contract provided for in Section 2 of this act, the person or corporation to whom such site has been conveyed shall immediate execute, acknowledge and deliver to the State Board of Charities and Corrections a lease, leasing the said site, together with the building to be erected thereon, for a term of one year from the time said building shall be completed and ready for occupancy, with the right and option in such lessee to extend the term of said lease for a term of one year from the expiration

of the original term of said lease and for one year from the expiration of each extended term of said lease, until the original term of said lease shall have been extended for a total number of years to be agreed upon by the parties thereto at a rental which, if paid for the original term and for each of the full number of years for which the term of said lease may be extended, will amortize the total cost of the erection of said building and appurtenances, which rental shall be paid at such times as the parties to said lease may agree upon. Said lease shall further provide that the lessee shall have the right and option at the expiration of the original or any extended term thereof, to purchase said leased premises at a price which shall be stated therein, and which shall be the balance of the total cost of the erection of said building and appurtenances not amortized by the payments of rent theretofore made by the lessee, the same to be paid at such times as the parties to said lease may agree; and shall contain a further provision that in the event of the exercise of said option to purchase said leased premises or in the event said lease shall have been extended for the full number of years which it is agreed the same may be extended, and all rents and payments provided for in said lease have been made, the lessor shall thereupon convey said premises to the lessee in fee simple with covenant of general warranty of title. Said lease may provide that the lessee shall, as additional rent for said leased premises, pay all taxes assessed against said leased premises, and the cost of insuring the building erected thereon against loss or damage by fire and wind storm in such sum as may be agreed by the parties thereto.

Senator Hamilton moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	J. S. W. Holloway	Dr. G. W. Ragan
W. W. Booles	Robert Humphreys	O. M. Rogers
H. M. Brock	Silas Jacobs	J. M. Rose
Edwin C. Dawson	Alex E. Johnson	R. H. Royster
Dr. T. J. Edge	Frank I. Lloyd	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	W. A. Yates
Perry B. Gaines	Ray B. Moss	Gates F. Young
Arch Hamilton	Marion F. Pogue	—23

Those who voted in the negative were:

D. C. Naive —1

Resolved that the title thereof be as aforesaid.

Senator Hamilton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 219. An Act to authorize cities of the Second Class to levy a tax for the purpose of providing a fund for the organization, employment and maintenance of a band, orchestra or drum and bugle corps.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

All cities of the Second Class organized under the laws of this State, are hereby authorized to levy each year a tax not to exceed (2) two mills, for the purpose of providing a fund for the organization, employment and maintenance of a band, orchestra, or drum and bugle corps.

Senator Ragan moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	Alex E. Johnson	J. M. Rose
Dr. T. J. Edge	L. C. Littrell	R. H. Royster
Walter N. Flippin	Frank I. Lloyd	Dr. Lewis Ryans
Chas. G. Franklin	C.T.McCormick,Sr.	Joe Stewart
Perry B. Gaines	Wm. Mehler	F. M. White
Arch Hamilton	Ray B. Moss	Sewell B. Williams
J. S. W. Holloway	D. C. Naive	W. A. Yates
Robert Humphreys	Marion F. Pogue	Gates F. Young
Wm. Isaacs	Dr. G. W. Ragan	—29

Resolved that the title thereof be as aforesaid.

Senator Ragan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 130. An Act amending Section 4114i-1, Kentucky Statutes, Carroll's 1930 Edition.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4114i-1, Kentucky Statutes, Carroll's 1930 Edition, be and it is hereby amended so that said section as amended shall read as follows:

There shall be a State Tax Commission composed of three Commissioners. The members of said Commission shall be electors of the State, free-holders, and not less than thirty years of age.

All acts and parts of acts in conflict herewith to the extent of such conflict are hereby repealed.

Senator Yates moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	R. H. Royster
W. W. Booles	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	Rev. C. D. McCaw	Joe Stewart
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Chas. G. Franklin	D. C. Naive	Sewell B. Williams
Perry B. Gaines	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys	O. M. Rogers	—23

Those who voted in the negative were:

H. M. Brock	Alex E. Johnson	J. M. Rose
Dr. T. J. Edge	Frank I. Lloyd	Dr. Lewis Ryans
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
Wm. Isaacs	Ray B. Moss	F. M. White
		—12

Resolved that the title thereof be as aforesaid.

Senator Yates moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 266. An Act to repeal, amend and re-enact Section 165a-17 Carroll's Kentucky Statutes, 1930 Edition relating to insolvent banks, powers and duties of commissioner in respect to assets of said bank and fixing amount of bonds for commissioners deputy commissioners, State bank examiner or receiver of such banks, and providing for distribution of assets thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 165a-17 of Kentucky Statutes, Carroll's 1930 edition, be repealed, amended and re-enacted so that when amended and re-enacted said section shall read as follows:

"165a-17 Insolvent bank; powers and duties of commissioner in respect to; assets, how applied.—The banking commissioner may, under his hand and official seal, appoint one or more special deputy banking commissioners, as agent or agents, to assist him in the duty of liquidating and distributing the assets of any insolvent bank, the certificates of appointment to be filed in the office of the banking commissioner, and a certified copy in the office of the clerk of the Circuit court in the county in which the office of such insolvent bank is located.

The banking commissioner may, from time to time, authorize a special deputy commissioner to perform such duties connected with the liquidation and distribution, as the banking commissioner may deem proper. The banking commissioner may employ such counsel, and procure such expert assistants and advice as may be necessary in the liquidation and distribution of the assets of such bank, and may retain such officers or employees of such bank as he may deem necessary. He shall require from a special deputy commissioner such surety for the faithful discharge of his duties as he may deem proper, provided, however, it shall not be for less than 10% of the assets of the bank when such assets amount to one million dollars or more and not less than 15% of the assets of such bank when such assets amount to five hundred thousand or more and less than one million dollars, and not for less than 25% of the assets of such bank when such assets amount to less than five hundred thousand dollars.

Whenever, under the provisions of this act, the banking commissioner in person or by a deputy or by a State bank examiner, shall take charge of any bank, or the court shall appoint a receiver as in this act is provided, such person shall

be allowed for his services not exceeding the sum of two dollars per hour for not exceeding ten hours per day for the time actually engaged by him in labor in the liquidation of the bank. If such person be a special deputy, appointed by the commissioner, or a receiver, appointed by the court, such allowance shall be paid to him as his compensation, and if such person shall be the banking commissioner or his deputy or a State bank examiner, the amount so allowed as compensation shall be paid into the State treasury: and the commissioner shall fix the compensation of the counsel and any special assistants subject to review by the court, and all such expenses shall be paid out of the bank so liquidated.

Whenever the banking commissioner, in person, or by deputy or by State bank examiner, shall take charge of any bank under the provisions of this act, he shall, within thirty days thereafter, file in the office of the clerk of the circuit court of the county in which the bank is located a detailed statement in the form prescribed in section 165a-10 of this act, of the assets and liabilities of such bank, and thereafter upon the first day of the term of each succeeding session of the circuit court of such county, and every sixty days in counties having circuit courts of continuous sessions, he shall file a report of his acts and doings in the administration of such bank since his last report; and any person, firm, or corporation may, by petition addressed to the circuit court, have any act of such commissioner reviewed by the court, in the same manner and with the same rights and powers as would have attached had such commissioner been a receiver appointed by the court.

The banking commissioner shall cause notice to be given by advertisement in such newspaper as such bank's semi-annual reports are published, weekly for three consecutive months, calling on all persons who may have claims against such insolvent bank to present the same to the banking commissioner, and make legal proof thereof, at a place and within a time not more than six months after the last date of publication, to be therein specified. He shall mail a copy of such notice to all persons whose names appear as creditors upon the books of such bank. If the commissioner doubts the justice

and validity of any claim, he may reject the same and serve written notice of such rejection upon the claimant, either by mail or personally. An affidavit of the service of such notice shall be prima facie evidence thereof, and shall be filed with the banking commissioner. An action upon a claim so rejected must be brought within six months after such notice. Claims presented after the notification of the time fixed in the notice to creditors, shall be entitled to share ratably in the distribution to the extent of the assets in the hands of the banking commissioner, equitably applicable thereto.

The assets of any bank in liquidation under this act shall be applied (a) to the payments of costs and charges of liquidation, and preferred claims; (b) to satisfaction of secured claims to the extent of such security; (c) to the satisfaction of all other debts, including unsatisfied balances of secured claims, ratably and without preference to the amount allowed at the time of distribution, and (d) the residue, after all liabilities are paid shall be distributed for the benefit of the stockholders ratably, or may on their request, be turned over to them or their agents for settlement.

Whenever the banking commissioner in person or by a deputy or by a State bank examiner shall have charge of liquidating any bank, or a receiver appointed by any court shall have charge of liquidating the affairs of any bank as in this act is provided, such persons shall make a distribution of such assets of said bank to the general creditors thereof at such times as in his opinion is prudent, but in all events shall make the distribution to the general creditors of said bank at such time as he may have in his possession, in cash or cash items, an amount equal to 10% of the assets of such bank.

Senator Gates F. Young moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	J. M. Rose
W. W. Booles	Alex E. Johnson	R. H. Royster
H. M. Brock	L. C. Littrell	Dr. Lewis Ryans
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Joe Stewart
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Walter N. Flippin	Wm. Mehler	F. M. White
Chas. G. Franklin	Ray B. Moss	Sewell B. Williams
Perry B. Gaines	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Gates F. Young
Robert Humphreys	Dr. G. W. Ragan	
Wm. Isaacs	O. M. Rogers	—34

Resolved that the title thereof be as aforesaid.

Senator Gates F. Young moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 90. An Act to amend and re-enact Chapter 29 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1928 approved March 20, 1928 which was:

"An Act relating to fines and forfeitures in courts in-

ferior to the circuit court except police courts and fixing the per centum of such fines and forfeitures to be paid to the county and Commonwealth Attorneys, respectively and repealing Sections 1244 and 133, Kentucky Statutes, Carroll's 1915 Edition and Section 2554a-43, Kentucky Statutes, Baldwin's Supplement to Carroll's 1922 Edition, being section 43 of Chapter 33 of the Acts of the General Assembly of 1922, to the extent only of the conflict between this act and of said sections."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 29 of the Acts of the General Assembly of the Commonwealth of Kentucky approved March 20, 1928 be amended by striking from the first literary paragraph thereof as same appears on page 162 of the published acts of the 1928 General Assembly of the words, "where actually present and assisting in such prosecution," and re-enacted so that when amended and re-enacted said Chapter 29 of the Acts of the General Assembly passed at its 1928 session will read as follows:

"From all fines and forfeitures recovered in all prosecutions before any county judge or magistrate, the county attorney shall receive from the treasurer forty (40%) per centum of such fines and forfeitures, (and the Commonwealth's attorney shall receive forty (40%) per centum of such fines and forfeitures) when recovered and paid into the treasury, as provided by law, and provided, however, that if the judgment be for twenty-five ($25.00) dollars or less, exclusive of costs, the county attorney shall receive a fee of five ($5) dollars which shall be taxed as cost and belong to him.

All laws or parts of laws in conflict herewith and especially Sections 124 and 133, Kentucky Statutes, Carroll's 1915 edition, and section 2554a-43, Kentucky Statutes, Baldwin's 1926 Supplement, being section 43 of Chapter 33, Acts

of the General Assembly of 1922, hereby are repealed to the extent only of the conflict between this act and of said sections."

All laws or parts of laws in conflict herewith are hereby repealed.

Senator Yates moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Alex E. Johnson	O. M. Rogers
W. W. Booles	L. C. Littrell	J. M. Rose
H. M. Brock	Frank I. Lloyd	R. H. Royster
Edwin C. Dawson	Rev. C. D. McCaw	E. D. Stephenson
Dr. T. J. Edge	C.T.McCormick,Sr.	Joe Stewart
Thos. C. Ferguson	Wm. Mehler	Thos. O. Turner
Walter N. Flippin	Ray B. Moss	F. M. White
J. S. W. Holloway	D. C. Naive	Sewell B. Williams
Wm. Isaacs	Marion F. Pogue	W. A. Yates
Silas Jacobs	Dr. G. W. Ragan	Gates F. Young

—30

Resolved that the title thereof be as aforesaid.

Senator Yates moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the House of Representatives announcing that they had passed a bill of the following title:

S. B. 34. An Act to amend section two thousand three hundred eighty (2380) sub-section thirty-four (34), Baldwin's Revision of Carroll's Kentucky Statutes (1930), being Chapter 114 of the Acts of the General Assembly of the Commonwealth of Kentucky at its session of nineteen hundred eighteen, relating to the issue of Drainage Bonds and the nature and payment of same, by providing for the issue of renewal or refunding bonds, the manner of issuing same and the nature and payment thereof.

With the following amendment thereto:

Amend S. B. 34 in House by adding the following words after line 208 of the printed bill: "If any word, line or paragraph of this bill shall be declared to be unconstitutional, then the sense of the entire bill shall become unconstitutional."

Senator Gates F. Young moved that the Senate concur in the said house amendment.

The question being taken thereon, was decided in the affirmative by a majority of the members elected.

It was ordered that said bill, as amended, be put on its passage.

The yeas and nays being taken on the passage of said bill, as amended by House amendment, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Alex E. Johnson	J. M. Rose
W. W. Booles	L. C. Littrell	R. H. Royster
H. M. Brock	Frank I. Lloyd	Dr. Lewis Ryans
Edwin C. Dawson	Rev. C. D. McCaw	E. D. Stephenson
Dr. T. J. Edge	C.T.McCormick,Sr.	Joe Stewart
Thos. C. Ferguson	Wm. Mehler	Thos. O. Turner
Walter N. Flippin	Ray B. Moss	Fred C. VanHoose
J. S. W. Holloway	D. C. Naive	F. M. White
Robert Humphreys	Marion F. Pogue	Gates F. Young
Wm. Isaacs	Dr. G. W. Ragan	
Silas Jacobs	O. M. Rogers	—31

Resolved that the title thereof be as aforesaid.

Senator Gates F. Young moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the House of Representatives, announcing that they had passed bills and a resolution of the following titles:

H. Res. 44. A resolution for the observance and commemoration of the death of Brigadier-General Casimir Pulaski.

Said Resolution reads as follows:

Whereas, the 11th day of October, 1779, is the date in American history of the heroic death of Brigadier-General Casimir Pulaski, who died from wounds received on October 9th, 1779, at the siege of Savannah, Georgia; and

Whereas, the States of Indiana, Wisconsin, Michigan, Ohio, Arkansas, Missouri, West Virginia, Tennessee, Texas, Delaware, Pennsylvania, New York, Minnesota, Maryland,

Illinois, New Hampshire, Nebraska, and other States of the Union have by legislative enactment designated October 11 of each year to be "General Pulaski's Memorial Day" and

Whereas, it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the death of this great American hero of the Revolutionary War: Therefore

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Governor of the State of Kentucky is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11th of each year and inviting the people of the State of Kentucky to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

It was ordered that said resolution be referred to the committee on Military Affairs.

H. B. 146. An Act to amend Section 3, Chapter 35, Acts of 1930, Section 4421a-39, Baldwin's Supplement, Carroll's Kentucky Statutes, 1930 Edition, relating to the adoption of basal text books for use in county school districts and independent school districts, other than cities of the first, second, third, or fourth class.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3, Chapter 35, Acts of 1930 (Section 4421a-39, Baldwin's Supplement, Carroll's Kentucky Statutes, 1930 Edition) relating to the adoption of basal text books for use in county school districts and independent school districts,

other than cities of the first, second, third or fourth classes, be amended by inserting in line fifteen after the word "Grade" and in continuation thereof the following: "and not more than 33 1/3 per cent of the list of books now in use shall be changed at any one adoption period of five years," so that when the said Section is amended and re-enacted it shall read as follows:

The commission shall also adopt, not later than May 1, 1930, and not later than March 1st in any subsequent adoption year, a uniform series or system of basal textbooks for use in the public schools of the county school districts and independent school districts in other than cities of the first, second, third, or fourth classes. The Commission shall also cause to be printed the list of books so adopted and send such lists to the administrative officer of each school unit of the State. In making such adoption of basal textbooks, the Textbook Commission created by this act shall designate the subject and grade for which the adopted book is intended, and not more than one book shall be adopted for use in any one subject and grade, and not more than 33 1/3 per cent of the list of books now in use shall be changed at any one adoption period of five years. In making such adoption of basal textbooks, the Textbook Commission created by this act shall designate the subject and grade for which the adoption book is intended, and not more than one book shall be adopted for use in any one subject and grade. The adoption under this section shall be made for a period of five years. Provided that a county board of education, of a county maintaining a school term of at least nine months by a majority of the entire board, upon the recommendation of its superintendent, may select basal textbooks to be used in the county school district from the list adopted and approved for city school districts by the State Textbook Commission.

All laws or parts of laws in conflict herewith are hereby repealed.

It was ordered that said bill be referred to the Committee on Education.

H. B. 149. An Act to authorize cities of the second, fourth, fifth and sixth classes to acquire and own, improve and extend, plants or works necessary for furnishing gas, and for electricity, for power, light and heat, and to issue bonds therefor, payable from the revenues of such plants or works.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That cities of the second, fourth, fifth and sixth classes, whether organized under the general law or special charter law, and including such cities where the commission form of government or city manager plan of government has been adopted, are hereby authorized and empowered to purchase, establish, erect, maintain and operate gas (natural, or artificial, or both) and/or electric plants, or works, for the furnishing of heat, light, and power to the said cities, and the inhabitants thereof, together with extensions and necessary appurtenances thereto, within or without the corporate limits, under the provisions of this Act; and to improve and extend such plants or works as may be now or hereafter owned by such cities, in the manner provided in this Act, for the purpose of supplying such cities or towns and the inhabitants thereof with sufficient and more heat, light and power.

§ 2. For the purpose of defraying the cost of acquiring any such plants or works, either by purchase or construction, or for the improvement or extension thereof in cases where such may be now or hereafter owned by such cities or towns, any such city may borrow money and issue negotiable bonds provided no such bonds shall be issued unless and until authorized by an ordinance or resolutions specifying the proposed undertaking, the amount of bonds to be issued; and the maximum rate of interest such bonds are to bear, shall not be more than six per cent per annum. Such ordinance or resolution shall further provide that the plants or works and ap-

purtenances which shall be acquired or the proposed improvements or extensions thereto are to be made pursuant to the provisions of this Act.

§ 3. One or more such plants or works owned by one or more persons or corporations, may be acquired hereunder as a single enterprise, and the common council or board of commissioners or governing body of such city shall have authority to agree with the owner or owners as to the value thereof and to purchase same at such value.

§ 4. All bonds under the provision of this Act may be issued bearing interest at a rate not exceeding six per cent per annum payable semi-annually and shall be executed in such manner and be payable at such times not exceeding forty years from the date thereof and at such place or places as such common council or board of commissioners shall determine.

§ 5. Any and all such bonds shall have and are hereby declared to have in the hands of bona fide holders all of the qualities of negotiable instruments under the law merchant and shall not be subject to taxation. In case any of the officers whose signatures or countersignatures appearing on the bonds or coupons shall cease to be such officers before delivery of such bonds, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. Such bonds shall be sold in such manner and upon such terms as the common council or board of commissioners shall deem for the best interest of such city; or any contract for the purchase or acquisition of any such plants or works may provide that payment thereof shall be made in such bonds. In no event shall any bonds be negotiated on a basis to yield more than six per cent. Such bonds when issued shall be payable solely from the revenue funds derived from such plants or works as provided in Section 9 hereof and shall not constitute an indebtedness of such city within the meaning of the constitutional provisions or limitations. It shall be plainly stated

on the face of each bond that the same has been issued under the provisions of this Act and that it does not constitute an indebtedness of such city within the meaning of any constitutional provision or limitations.

§ 6. All moneys received from any bonds issued pursuant hereto shall be applied solely for the purchase, establishment or erection of such plants or works and extensions thereto and necessary appurtenances, provided such money may be used also to advance the payment of the interest on bonds during the first three years following the date of such bonds. And there shall be and there is hereby created a statutory mortgage lien upon the plants or works and appurtenances and extensions so acquired to and in favor of the holders of said bonds and each of them and to and in favor of the holders of the coupons of said bonds.

§ 7. The plants or works so purchased or acquired, together with the extensions and appurtenances, shall remain subject to such statutory liens until the payment in full of the principal and interest of the bonds. Any holder of said bonds or of any of the coupons may, either at law or in equity, by suit, action, mandamus, or other proceedings, protect and enforce the statutory mortgage lien hereby conferred and may by suit, action, mandamus, or other proceedings, enforce and compel performance of all duties required by this Act, including the making and collecting of sufficient rates, the segregation of the income and revenue, and the application thereof.

§ 8. If there be any default in the payment of the principal or interest of any of said bonds any court having jurisdiction of the action may appoint a receiver to administer said plants or works on behalf of the city, with power to charge and collect rates sufficient to provide for the payment of any bonds or obligations outstanding against said plants or works and for the payment of the operating expenses and to apply the income and revenue in conformity with this Act, and the ordinance or resolution referred to in Section 9 hereof.

§ 9. At or before the issuance of such bonds the common council or board of commissioners of such city shall, by ordinance or resolution, set aside and pledge the income and revenue of such plants or works into a separate and special fund to be used and applied in payment of the cost thereof and in the maintenance, operation and depreciation thereof. Said ordinance or resolution shall definitely fix and determine the amount of revenue which shall be necessary and be so set apart and applied to the payment of the principal and interest of the bonds, and the proportion of the balance of such income and revenue which is to be set aside as a proper and adequate depreciation account, and the remaining proportion of such balance shall be set aside for the reasonable and proper operation and maintenance thereof. The rates to be charged for the service from such plants or works shall be sufficient to provide for the payment of interest upon all bonds and to create a sinking fund to pay the principal thereof as and when the same becomes due and to provide for the operation and maintenance thereof and adequate depreciation account. Such rates shall be fixed and revised from time to time so as to produce these amounts.

§ 10. If any surplus shall be accumulated in the operating and maintenance funds, which shall be equal to the cost of maintaining and operating such plant or works during the remainder of the calendar, operating or fiscal year, as may be provided by the ordinance or resolution hereinbefore acquired (required) and the cost of maintaining and operating such plants or works during the succeeding like calendar year, operating or fiscal year, any excess over such amount may be transferred at any time by the council to the depreciation account to be used for any improvements, extensions or additions to such plants or works.

§ 11. The funds accumulating to the depreciation account shall be expended in balancing depreciation in such plants or works or in making new constructions, extensions or additions thereto. Any such accumulations may be invested as the council may designate and if invested, the in-

come from such investments shall be carried into the depreciation account.

§ 12. The reasonable cost and value of any service rendered to such city by such plants or works may be charged against the city and shall be paid for monthly as the service accrues from the current funds or proceeds of taxes which such city is hereby authorized and required to levy in an amount sufficient for that purpose. Such funds so paid shall be accounted for in the same manner as other revenues of such plants or works.

§ 13. Such city may issue new bonds for the purpose of providing funds for the payment of any outstanding bonds, in accordance with the procedure prescribed by this Act. Such new bonds shall be secured to the same extent and shall have the same source of payment as the bonds which shall have been thereby refunded.

§ 14. Should the common council or board of commissioners find that the bonds authorized will be insufficient to accomplish the purpose desired, additional bonds may be authorized and issued subject to the procedure as herein required.

§ 15. Any city acquiring any plants or works pursuant to the provisions of this Act may at the time of the issuing of the bonds for such acquisition, provide for additional bonds for extension and permanent improvements to be placed in escrow and to be negotiated from time to time as such proceeds for that purpose may be necessary. Such bonds when so negotiated shall have equal standing with the bonds of the same issue.

§ 16. In like manner, such city acquiring any plants or works under the provisions hereof may provide for the extension, addition or improvement of such public utility by an additional issue or issues of bonds in the manner herein provided.

§ 17. Such city in acquiring any plants or works under the provisions of this Act, may provide by ordinance or resolution any such provisions and stipulations for the administration of the income and revenues and for the security of the bond holders as the common council or board of commissioners of such city may deem necessary.

§ 18. The ordinance or resolution required by Sections 2 and 9 hereof may also set apart bonds hereunder authorized, equal to the amount of any secured debt or charge, subject to which a plants or works may be purchased or acquired, and shall set aside for interest and sinking fund from the balance of the income and revenues of the plants or works remaining after setting aside the funds for payment of principal and interest of bonds, a sum sufficient to comply with the requirements of the instrument creating the lien or securing the charge, or if such instrument does not make any provision therefor, said ordinance shall fix and determine the amount which shall be set aside into a securing debt account for interest on such secured debt or charge and a fixed amount to pay the principal thereof at maturity. Any surplus after satisfying the secured debt or charge may be transferred to the fund for the redemption of the principal and interest of bonds issued thereunder. Bonds may be issued hereunder subject to the provision hereof in exchange for or in satisfaction of such secured debt or charge or may be sold in the manner herein provided and the proceeds applied in payment of the same at or before maturity.

§ 19. This Act shall be construed to create an additional and supplemental method for the acquisition, and wherever already owned or hereafter owned, for improvement and extension of gas and/or electric plants or works, and shall not be deemed to alter, amend or repeal any other method now provided by law; and where such plants or works have already been acquired or may hereafter be acquired by any other or different method, and are in need of improvement and/or extension to adequately meet the requirements of such cities or towns and the inhabitants thereof, this Act shall be

construed as providing a supplemental method of providing funds, in the manner herein authorized, for defraying the cost of such improvements and extensions. No proceedings shall be required for the accomplishment of the purposes of this Act except such as are prescribed by this Act, any provisions in the general laws of the Commonwealth of Kentucky or charter of any city or town to the contrary notwithstanding.

§ 20. This Act shall be construed as repealing all prior Acts in conflict therewith; and as having been enacted in separate sections; and if any section, or part thereof shall be held unconstitutional, it shall not have the effect of nullifying any other provisions of this Act.

§ 21. This Act being necessary for and to secure the public health, safety, convenience and welfare of cities in the Commonwealth of Kentucky, shall be liberally construed to effectuate the purpose hereof.

§ 22. In as much as many cities to which this Act is applicable are without adequate gas and/or electric plants or facilities, thus endangering the health, safety and convenience of the inhabitants thereof, an emergency is declared to exist and this Act shall take effect from and after its passage and approval.

It was ordered that said bill be referred to the Committee on Kentucky Statutes No. 1.

H. B. 185. An Act to amend and re-enact Section 280 and 281 of Chapter 8 of the Criminal Code of Practice relating to bills of exceptions.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 280 of the Criminal Code of Practice

be and the same is amended and re-enacted and as amended and re-enacted shall read as follows:

Upon the trial of criminal or penal prosecutions, either party may except to any decision of the court by which the substantial rights of such party are prejudiced.

§ 2. That Section 281 of the Criminal Code of Practice be and the same is amended and re-enacted and as amended and re-enacted shall read as follows:

The decision of the court upon challenges, and for cause, or upon motions to set aside the indictment, shall be subject to exception.

§ 3. All Acts and parts of Acts in conflict herewith are hereby repealed.

It was ordered that said bill be referred to the Committee on Criminal Law.

H. B. 170. An Act to amend and re-enact Sections 26 and 27 of Chapter 141 of the Acts of the General Assembly of 1893 as amended by chapter 78 of the Acts of the General Assembly of 1910, being now Sections 2316 and 2317 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930, relating to Landlord and Tenant and the lien of the Landlord.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 26 of Chapter 141 of the Acts of the General Assembly of 1893, now Section 2316 of Carroll's Kentucky Statutes (Baldwin's Revision of 1930), be and the same is hereby repealed, amended and re-enacted, so that the same when so amended and re-enacted shall read as follows:

All valid liens upon the personal property of a lessee,

assignee, or under-tenant created before the property was carried upon the leased premises, shall prevail against a distress warrant or attachment for rent. If such lien be created whilst the property is on the leased premises, and on property upon which the landlord hath a superior lien for his rent, then to the extent of four (4) months' rent, whether the same accrued before or after the creation of the lien, the distress or attachment shall have preference, and be first satisfied, provided the same is sued out in one hundred and twenty (120) days from the time the rent was due.

§ 2. That Section 27 of Chapter 141 of the Acts of the General Assembly of 1893 as amended by Chapter 78 of the Acts of the General Assembly of 1910, being Section 2317 of Carroll's Kentucky Statutes (Baldwin's Revision of 1930), be and the same is hereby repealed, amended and re-enacted, so that the same when so amended and re-enacted shall read as follows:

A landlord shall have a superior lien on the produce of the farm or premises rented for farming purposes and the fixtures, household furniture, and other personal property of the tenant, or under-tenant, owned by him after possession is taken under the lease; but such lien shall not be for more than one (1) year's rent due and to become due, nor for any rent which has been due for more than eleven (11) months, and every other landlord shall have a superior lien on the fixtures, household furniture, and other personal property of the tenant, or under-tenant, from the time possession is taken under the lease to secure the landlord in the payment of four (4) months' rent, due or to become due, but such lien shall not be effective for any rent which is past due for a longer time than the lien is given. And if any such property be removed openly from the leased premises, and without fraudulent intent, and not returned, the landlord shall have a superior lien on the property so removed for fifteen (15) days from the date of its removal, and may enforce his lien against the property wherever found.

§ 3. It is hereby declared to be the intent of the Legis-

lature in enacting this act not to repeal or interfere in any wise or way with Sections 2323 and 2325 of Carroll's Kentucky Statutes, 1930 Edition.

§ 4. All acts or parts of acts in conflict herewith are hereby repealed to the extent of such conflict.

It was ordered that said bill be referred to the Committee on Kentucky Statutes, No. 1.

H. B. 279. An Act to repeal and re-enact Chapter 76 of the Acts of one thousand nine hundred and thirty entitled "An act regulating the transportation by motor vehicles of all officers and employees of the State of Kentucky, excepting the governor and lieutenant-governor and providing for the payment of the traveling expenses by motor vehicles of all officers and employees of the State of Kentucky, and providing for the future use and sale of all motor passenger vehicles now owned by the State of Kentucky and repealing all laws and parts of laws provided for the purchase of motor passenger vehicles for use of State officers and employees, excepting the governor and lieutenant-governor, providing a penalty for a violation thereof and declaring an emergency to exist," and providing for the purchase and operation of motor passenger vehicles for the use of the State Highway Commission of Kentucky and the employees thereof, and declaring an emergency to exist.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 76 of the Acts of one thousand nine hundred and thirty of the General Assembly of the State of Kentucky be, and the same is hereby repealed and re-enacted so that as when re-enacted it will read as follows: "That no part of any money or revenue hereinafter paid into the State Treasury of the Commonwealth of Kentucky, shall be used or expended for the purchase of any motor passenger vehicle for

the use of any officer of the Commonwealth of Kentucky or any member, agent or employee of any Board or Commission created by the laws of the Commonwealth of Kentucky, or for the use of any person or persons directly or indirectly engaged in performing any services in behalf of the Commonwealth of Kentucky, other than the Governor and the Lieutenant Governor when acting as the Governor of the Commonwealth of Kentucky, and the State Highway Commission of Kentucky and its employees.

§ 2. That it shall be unlawful for the State Treasurer, the Auditor of Public Accounts, officer or member of any board or commission created by the laws of the State of Kentucky, or any other State officer of the Commonwealth of Kentucky to purchase or contract for the purchase of any motor passenger vehicle on behalf of or for the account of the Commonwealth of Kentucky, except for the use of the Governor and the Lieutenant Governor of the Commonwealth of Kentucky when acting as the Governor and the State Highway Commission of Kentucky and its employees, and it shall be unlawful for any payments to be made out of any State funds or revenues for such purpose, other than for the purchase of necessary motor passenger vehicles for the use of the Governor and the Lieutenant Governor when acting as the Governor of the Commonwealth of Kentucky and the State Highway Commission and its employees.

§ 3. When any officer, member of any board or commission of the Commonwealth of Kentucky, or any subordinate officer, agent or employee thereof is authorized under the laws of the State of Kentucky to and does, in the discharge of his or her official duties, incur any expense incident to traveling in motor vehicles personally owned by such officer, member, agent or employee, such expense shall not exceed five cents per mile, over the nearest traveled route over which such officer, member, agent or employee has traveled in the discharge of such official duty in his or her personally owned motor vehicle, which sum of five cents shall include an allowance of one cent per mile for depreciation and investment charges incident to the operation of such motor vehicle, and

such expense shall be paid in the manner now provided by law for the payment of expenses of State officials and employees of the State of Kentucky, provided, however, that in no event shall any sum be allowed or paid by the Auditor of Public Accounts of the State of Kentucky for the expenses in traveling motor vehicles, incident to the performance of official duties, in excess of the actual expenses so incurred by such official or employee.

§ 4. Nothing in this act contained shall be construed as prohibiting the operation during the years 1930 and 1931 by State officers, members of boards and commissions and agents and employees thereof, of motor passenger vehicles heretofore purchased by State funds and now owned by the State of Kentucky, provided, such motor passenger vehicles shall be used exclusively for the performance of official duties and no claims for expenses incident to the operation thereof shall be allowed or paid in excess of the actual cost of operation thereof, which shall not exceed four cents per mile for each mile traveled in the performance of official duties.

§ 5. On or before January 1, 1932, all motor passenger vehicles theretofore purchased by the Commonwealth of Kentucky or any board or commission created by the laws of the Commonwealth of Kentucky, other than such motor passenger vehicle as may be in the use of the Governor and Lieutenant Governor of the Commonwealth of Kentucky and the State Highway Commission of Kentucky and its employees, shall be delivered to the Sinking Fund Commission or its agent designated for such purpose, by the board, commission, officer, agent or employee having the custody thereof, and thereafter it shall be unlawful for any person whomsoever, other than the Governor and Lieutenant Governor of the Commonwealth of Kentucky and the State Highway Commission of Kentucky and its employees to use or operate any passenger motor vehicle owned by the Commonwealth of Kentucky.

On or before February 1, 1932, the Sinking Fund Commission of the Commonwealth of Kentucky, shall advertise

and sell all motor passenger vehicles belonging to the Commonwealth of Kentucky, other than such as may be in the use of the Governor and Lieutenant Governor and the State Highway Commission of Kentucky and its employees, and the proceeds derived from the sale thereof shall be paid into the Sinking Fund of the Commonwealth of Kentucky and disbursed in payment of the existing indebtedness of the Commonwealth of Kentucky.

§ 6. Nothing in this Act contained shall be construed as in any manner limiting the powers of the State Highway Commission or any other board or commission created by the laws of the Commonwealth of Kentucky, to purchase and operate motor vehicles other than motor passenger vehicles.

§ 7. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and shall be fined not less than fifty dollars and not more than five hundred dollars for each offense.

§ 8. Nothing in this Act contained shall be construed as in any manner limiting or preventing the powers of the State Highway Commission of Kentucky to purchase and operate passenger motor vehicles in the conduct of the affairs of the State Highway Department of Kentucky. Provided, however, that no automobile purchased for said department, shall cost in the aggregate more than $800.00.

§ 9. All laws and parts of laws in conflict herewith are hereby repealed.

§ 10. It being imperative for the efficient and economical conduct of the State Highway Department of the State of Kentucky that passenger motor vehicles be purchased and operated by the State Highway Commission of Kentucky and the employees thereof, an emergency is declared to exist and this Act shall become effective from and after its passage by the General Assembly of the Commonwealth of Kentucky.

It was ordered that said bill be referred to the Committee on Kentucky Statutes No. 1.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 111. An Act to define oleomargarine and to prescribe regulations to govern the manufacture, storage and sale thereof; to provide for the issuance of license to the manufacturers and venders thereof on payment of fees therefor; and for revocation of such license for violations of this Act; to provide a privilege tax on sales of oleomargarine; to provide for the enforcement of the provisions of this Act by the State Tax Commission and its agents; and declaring a violation of this Act to be a misdemeanor and providing punishment therefor, and authorizing the State Tax Commission to make rules and regulations to carry into effect this Act, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency to exist.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the term person as used in this act shall include individuals, firms, co-partnerships, associations and corporations, both foreign and domestic.

§ 2. That for the purpose of this act certain manufactured substances, certain extracts, and certain mixtures and compounds, including such mixtures and compounds with butter, shall be known and designated as oleomargarine, namely: All substances heretofore known as oleomargarine, ole, oleomargarine oil, butterine, lardine, suine, and neutral; all lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet; lard, lard oil, fish or fish oil, palm oil, vegetable oil, annetto and other coloring matter, intestinal fat, and offal fat—if (1) made in imitation or sem-

blance of butter, or (2) calculated or intended to be sold as butter or for butter, or (3) churned, emulsified, or mixed in cream, milk, water or other liquid, and containing moisture in excess of one per centum, or salt in any quantity whatsoever. This section shall not apply (1) to puff pastry, shortening not churned or emulsified in milk or cream, and having a melting point of one hundred and eighteen degrees Fahrenheit or more, nor (2) to any of the following containing condiments and spices: salad dressings, mayonnaise dressing, or mayonnaise products, nor (3) to pharmaceutical preparations.

§ 3. That whoever, in person or by agent, sells, exposes for sale, or has in possession with intent to sell, oleomargarine as defined in Section 2 of this act, shall have the word "oleomargarine" branded upon the top, sides and bottom of every tub, firkin, box or package containing any of said articles, in plain Gothic letters of not less than twenty point type. This brand must cover a space of not less than three and one-eighth inches in length on each panel, and shall be printed in a conspicuous color, which forms a strong contrast with the color of the package; and whoever, in person or by agent, exposes or offers for sale any oleomargarine not in the original package, shall attach to said article, in a conspicuous place, a label bearing the word "oleomargarine" as provided for above and in case of retail sales of any said article, substances or compound from bulb, tub or other container, the seller shall in person or by agent, attach to each package so sold and delivered therewith to the purchasers, a label or wrapper bearing in a conspicuous place upon the outside of the package, the word "oleomargarine" printed in plain Gothic letters of not less than twenty point type.

§ 4. That no person, by himself or his agent or servant, shall manufacture, sell, offer for sale, expose for sale or have in his possession, with intent to sell, any article compound or product, made wholly or partly out of any fat, oil or oleaginous substance or compound thereof, not produced directly and at the time of manufacture, from unadulterated milk or cream from the same, which shall be in imitation of butter, produced

from pure unadulterated milk, cream, or the combination of same. Provided that nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine, as defined in Section 2 of this act, in a separate and distinct form, and in such a manner as prescribed in said section.

§ 5. That every person desiring to manufacture, sell or offer for sale, or have in possession with intent to sell oleomargarine as defined in Section 2 of this act, shall make application for a license to do so, which shall be in such form as shall be prescribed by the State Tax Commission or its agents, said application shall be furnished by the State Tax Commission in such form with such information thereon as may be deemed necessary or expedient for the fulfillment of the provisions of this act, such application shall contain an accurate description of the place where the proposed business is intended to be carried on, the name, style of firm and such other information as may be prescribed to conduct the said business, such licenses shall be furnished to the firm, person, manufacturer, or retailer and the State Tax Commission shall issue such license properly signed and certified to, charging the following fees: Manufacturer's license, five dollars ($5.00); jobber's license, three dollars ($3.00); retail merchant's license, two dollars ($2.00), said license to be for the period of one year; after obtaining the license required by this section, the person obtaining the same shall, before beginning any business granted under the said license, hang up and display in a conspicuous place, on the walls of the room, store or factory in which oleomargarine is offered or exposed for sale, the license so obtained as aforesaid; and shall also procure from the State Tax Commission a sign, or signs, which in number, size and lettering shall be uniform throughout the state, clearly setting forth that he is engaged in the manufacture, or sale of oleomargarine.

§ 6. That any person operating a restaurant, lunch-counter, boarding house, or other place where food is served to the public using and serving oleomargarine, shall have cards placed in plain view on all four walls, opposite the table or

tables or other places where guests are served, such signs as may be required by the State Tax Commission which shall have printed thereon "oleomargarine used here," and where menu cards are used the words "oleomargarine used here" shall appear in type in a conspicuous place thereon in as large letters as appear on the menu card, and provided further, that any person operating any above named public place serving food shall make application to the State Tax Commission as required in Section 5 of this act, and shall pay the following license fee: Three dollars ($3.00) for each hotel, two dollars ($2.00) for each restaurant, cafe, lunch-counter, pie wagon, club, or any other place where food is served to the public, and one dollar ($1.00) for each boarding house, upon the issuance of such license, the licensee or agent of such place or places shall keep constantly posted the license as herein granted under the provisions of this section.

§ 7. That the State Tax Commission shall have authority to revoke any license issued under this act for the repeated non-observance by licensee of the provisions of this act, or because licensee's place of business is in an unduly insanitary condition; provided, however, that five days' written notice, specifying the complaint may be given licensee to appear before the State Tax Commission and show cause why such license should not be revoked. If after the revocation of such license the licensee should comply with the requirements of the law and make manifest in writing their intentions to observe them in the future, the State Tax Commission may issue to them another license upon their paying the required fee therefor.

§ 8. That no person shall use in any way in connection or association with the sale, or exposure for sale, or advertisement of oleomargarine as defined in Section 2 of this act, the words butterine, creamery, or dairy, or the representation of a cow of any breed of dairy cattle, or any combination of such words and representation, or any other words or symbols, or combinations thereof, commonly used by the dairy industry, except only the labeling requirements described in

Section 3 of this act; no person shall efface, erase, cancel or remove any mark, statement, label or stamp required by this act with intent to mislead, deceive or with intent to violate any of the provisions of this act.

§ 8a. That there is hereby levied a tax to the amount of ten cents per pound on all oleomargarine sold in the state as defined in Section 2 of this act, such tax to be in the form of a stamp in such denominations as will best carry out the provisions of this section, said stamps shall be properly safeguarded as to their manufacture, preservation and distribution, and shall be in custody and charge of the State Tax Commission and provided further, that the affixing and cancellation of said stamps shall be directed by the State Tax Commission, "This tax to be in addition to the license fees defined in Sections 5 and 6 of this bill and license shall be dated January 1 of each year and expire December 31 of the same year."

§ 9. That no state, county, municipal or other institution supported in whole or in part by public funds, shall furnish to its inmates, patrons, or employees, or use in the preparation of their food any oleomargarine or similar substitutes for butter as defined in Section 2 of this act.

§ 10. All revenue and fees collected by the State Tax Commission under the provisions of this act, shall be paid into the State Treasury to the credit of the general fund.

§ 11. The State Tax Commission is hereby authorized to appoint the necessary agents or deputies for the purpose of carrying out the provisions of this act, and said agents, deputies, and employees, are hereby authorized and empowered to enter, during business hours, for the purpose of carrying out the provisions of this act, all places of business that may come under the provisions of this act.

§ 12. That to facilitate the inspection of oleomargarine as prescribed in this act, all manufacturers, jobbers, and

wholesalers making shipments into or within the state are hereby required to forward to the State Tax Commission on forms to be furnished by the said Commission and on date of shipment, notification of the amount of such oleomargarine together with the car number and/or transportation company, the name and address of the consignee, together with the brand or brands making up such shipment.

§ 13. The State Tax Commission is hereby empowered to promulgate such rules and regulations as are consistent with the provisions of this act, provided, however, that when requested by any person interested, the State Tax Commission shall furnish copies of all proposed rules and regulations at least ten days before such rules and regulations become effective so that the person may be heard thereon.

§ 14. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof, for the first offense shall be fined not less than ten dollars ($10.00), nor more than fifty dollars ($50.00), and for such subsequent offense, shall be fined not less than twenty-five dollars ($25.00), or be imprisoned in the county jail for not more than twelve months, nor less than sixty days, or shall suffer both fine and imprisonment.

§ 15. That if any section, subsection, clause, provision, or portion of this act shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, subsection, clause, or provision of this act.

§ 16. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

§ 17. Whereas, the present state revenue does not meet the immediate needs for the maintenance and development of the state government and its agencies, and the credit of the state is threatened with impairment, an emergency is declared to exist, and this act shall become a law and become effective upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

Senator Gaines moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	O. M. Rogers
W. W. Booles	Wm. Isaacs	J. M. Rose
Edwin C. Dawson	Silas Jacobs	E. D. Stephenson
Thos. C. Ferguson	Alex E. Johnson	Joe Stewart
Walter N. Flippin	L. C. Littrell	Thos. O. Turner
Chas. G. Franklin	C.T.McCormick,Sr.	Fred C. VanHoose
Perry B. Gaines	Ray B. Moss	F. M. White
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Dr. G. W. Ragan	W. A. Yates

—27

Those who voted in the negative were:

R. H. Royster	Rev. C. D. McCaw	Frank I. Lloyd
Dr. Lewis Ryans	Wm. Mehler	

—5

Resolved that the title thereof be as aforesaid.

Senator Gaines moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senator Ryans moved that the Senate recess until 7:30 o'clock P. M.

Said motion was agreed to.

The Senate reconvened at 7:30 o'clock P..M.

Senator Humphries moved that the privileges of the floor be extended to Messrs. Will Creasor, Joe Browder, W. E. Bradley and Leslie Weeks.

Said motion was agreed to.

Senator Ferguson moved that the privileges of the floor be extended to Mr. and Mrs. J. C. Ferguson of Frankfort.

Said motion was agreed to.

Senator Brock moved that the privileges of the floor be extended to Judge R. B. Roberts of Hazard.

Said motion was agreed to.

Senator Pogue moved that the privileges of the floor be extended to Mr. Jess Buchanan.

Said motion was agreed to.

Senator Isaacs moved that the privileges of the floor be extended to Mrs. Morgan.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Mrs. Baughn.

Said motion was agreed to.

ENROLLMENT REPORT

Senator Stewart, of the Committee on Enrollment, reported that they had examined and found correctly enrolled, bills and resolutions which originated in the Senate, of the following titles:

S. B. 159. An Act to add to the State Primary Highway System a road from State Primary Project No. — in Livingston County to the Lyon County line in Crittenden County.

S. B. 122. An Act to add to the State Primary System a road from Dycusburg, Crittenden County, to Fredonia, Caldwell County, Kentucky.

S. B. 88. An Act creating and establishing as a part of the Primary Road System of Highways of the State of Kentucky a road running from Pellyton in Adair County to a point intersecting with the state highway leading from Liberty to Campbellsville at or near Price's shop, said road to be designated by the State Highway Department with an appropriate project number.

S. B. 167. An Act to establish as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky, a road leading from State Highway No. 58 where the Mayfield and Kirksey road intersects said highway in Graves County, Kentucky, and running thence to a point at or near Liberty Church; thence by way of Kirksey, Calloway County, Kentucky, to Murray, Calloway County, Kentucky, and designated as Project No. —.

S. B. 104. An Act to establish a Primary Road Project from the mouth of Emily Creek in Martin County, thence up Emily Creek to the mouth of Copers Mine, thence up Copers Mine and across the hill to Lick Branch to the Pike County line on the waters of Big Creek.

S. B. 44. An Act to add a road to the Primary Road System of the Commonwealth of Kentucky.

S. B. 53. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road located in Muhlenburg County, Kentucky, and beginning at Greenville, and running westwardly with the old Greenville and Madisonville road, to project No. 238, between Earles and Midland, thence to Millport, connecting with project No. 247.

S. B. 5. An Act relating to roads and bridges and establishing as a part of the State Primary Highway System a road leading from Smithland, Livingston County, Kentucky, to Madisonville, Kentucky, to be known hereafter, as the Ruby Laffoon Trail and designating same as State Project No. —.

S. B. 105. An Act to establish a Primary Road Project from the mouth of Wolf Creek in Martin County on the Garrett Highway to the Pike County line connecting with the Pikeville-Williamson road.

S. B. 22. An Act to establish as a part of the Primary Road System of the Commonwealth of Kentucky a road in Bracken County, beginning at a point in State Highway No. 10 in the village of Lenoxburg via the existing public road to the village of Foster.

S. B. 76. An Act establishing a State Primary Road Project leading from a point in the New Castle-Port Royal State road about two miles south of Port Royal, thence following the county road, thence by Turner's Station to State Road 55 near overhead bridge at Campbellsburg.

S. B. 123. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1930, relating to roads and bridges, by establishing and adding thereto a road from Joy, Livingston County, Kentucky, on what is now State Project No. 124 to Carrsville, Livingston County, Kentucky, a distance of about three miles to the Ohio River, there connecting the State Highways of

Kentucky with the State Highway System of the State of Illinois on Project No. —, thence to Elizabethtown, Ill., the county seat of Hardin County, Illinois.

S. B. 129. An Act to establish as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road running from Booneville in Owsley County to Campton, in Wolfe County, via Tellega and Fillmore in Lee County, and crowning the North Fork of the Kentucky River at the mouth of Rock Lick Creek in Breathitt County.

S. B. 16. An Act to amend Section 2740, Kentucky Statutes, Carroll's Official 1930 Edition, also Chapter 89 of the Acts of the General Assembly of Kentucky of 1930 relating to classifications of the cities and towns of the State so as to change the city of Greenville, Muhlenberg County, from a city of the fifth class to a city of the fourth class, be and the same are hereby amended as follows:

S. B. 75. An Act establishing a State Primary Road Project leading from Lockport in Henry County by the mouth of Pot Ripple to Gest and Monterey in Owen County.

S. B. 63. An Act establishing as a part of the highway system of highways of the Commonwealth of Kentucky, a road beginning at Waterview, Cumberland County, and leading to Black's Ferry, Monroe County, via Cloyd's Landing.

S. B. 74. An Act establishing a State Road Project leading from Carroll up Six Mile Creek in Henry County, Kentucky, to intersect with the Gest-Harper's Ferry State Road No. 37 turnpike.

S. B. 73. An Act establishing a State Primary Road Project leading from a point at Gest to State Highway No. 37 near the Gusta Clements farm via Harpers Ferry in Henry County.

S. B. 65. An Act to establish a Primary Road Project

from U. S. Route No. 23 at the junction of the Van Lear road in Johnson County to the corporate limits of the town of Van Lear.

S. B. 77. An Act establishing a State Primary Road Project leading from the Mouth of Drennon to New Castle State Road near Drennon Springs, thence by way of Franklinton and Clubb Lane to State Highway No. 22 in Henry County.

SENATE RESOLUTION 25

Whereas, it has long been the custom of the General Assemblies of Commonwealth to invite prominent statesmen to address them in joint session, and

Whereas, the Honorable Melvin A. Traylor is a native of Kentucky and an outstanding citizen of the United States, with an international reputation, who now resides in Chicago.

Therefore, be it resolved by the Senate, the House of Representatives concurring, that the said Honorable Melvin A. Traylor, of Chicago, be invited to address the General Assembly in Joint Session at such time as may be most convenient to him.

S. B. 78. An Act establishing a State Primary Road Project leading from a point in the Campbellsburg-Bedford State Road No. 37 about two and one-half miles from Campbellsburg at the Joe Campbell and Will Clark property in Henry County, thence following the county road down Campbell branch to State road from Sulphur to New Castle at Sulphur.

Whereupon, all other business was suspended; said bills and resolutions were read at length and compared in open Senate, and were found to be correctly enrolled. Thereupon, the President of the Senate, in open session, in the presence of the Senate, affixed his signature to said bills and resolutions.

Ordered that the Enrolling Clerk deliver said bills and resolutions to the House of Representatives.

After a time the Enrolling Clerk delivered the original and enrolled bills and resolutions which originated in the Senate to the Clerk.

Ordered that the Clerk deliver the enrolled bills and resolutions which originated in the Senate, and which had been signed by the presiding officers of the Senate and House of Representatives, to the Governor.

After a time, the Clerk reported that he had performed that duty.

COMMITTEE REPORTS

The Committee on Classification of Cities and Towns, to which had been referred a bill of the following title:

S. B. 175. An Act to repeal an Act relating to cities and towns, being Chapter 738 of the Acts of General Assembly Session, 1858, approved February 17, 1858.

Reported with an expression of opinion that same ought to pass.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 79. An Act to repeal and re-enact Sections 216a-1, 216a-7, 216aa-8, 216aa-16, 216aa-25, 216aa-27, 216aa-28, and to repeal Sections 216aa-4, 216aa-5, 216aa6, of Carroll's Kentucky Statutes, Baldwin's Revision of 1930, relating to the State Board of Charities and Corrections, its management and supervision of the benevolent, charitable, eleemosynary, correctional and penal institutions of this State; declaring an emergency, and repealing all laws, or parts of laws, in conflict herewith to the extent of such conflict.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 216a-1 of Carroll's Kentucky Statutes (Baldwin's Revision of 1930), being Section 1 of Chapter 7 of the Acts of the General Assembly of 1920, be and the same is hereby repealed, amended and re-enacted so that the same when so amended and re-enacted shall read as follows:

There shall be, and there hereby is created a Board to be known as "The State Board of Charities and Corrections," which shall be composed of five (5) members, all of whom shall be residents of Kentucky and not less than thirty (30) years of age. The members of said board shall be appointed by the Governor, by and with the consent of the Senate; one (1) for a period of one (1) year; one (1) for a period of two (2) years; one (1) for a period of three (3) years, and two (2) for a period of four (4) years from the date of appointment, unless sooner removed for cause, and thereafter all appointments, except to fill vacancies, caused by death, resignation or removal, shall be for a full term of four (4) years.

Each member of the board, except the chairman, shall receive an annual salary of Two Thousand ($2,000.00) Dollars per year, to be paid monthly out of the State Treasury, and the chairman shall receive an annual salary of Five Thousand ($5,000.00) Dollars per year, to be paid monthly out of the State Treasury.

The chairman and members of said board shall also be paid their actual and necessary expenses in the discharge of their official duties.

§ 2. That Section 216a-7 of Carroll's Kentucky Statutes (Baldwin's Revision of 1930), being Section 7 of Chapter 7 of the Acts of the General Assembly of 1920, be and the same is hereby repealed, amended and re-enacted, so that the same when so amended and re-enacted shall read as follows:

The board shall meet at least once a month and at other times on the call of the chairman. The Governor shall annually designate and appoint one of the members of said board

as chairman, and the said chairman shall be required to give all of his time to the business and affairs of the board, and he shall reside in Frankfort, Kentucky. He shall have general charge, subject to the supervision and control of the board of the institutions of the State, which are under the jurisdiction of said board, and shall perform such duties and exercise such power as the board may, from time to time, direct.

The board shall adopt by-laws and regulations for the transaction of its business and the management of its affairs and for the management of the institutions under its charge, as it may consider expedient and as are not inconsistent with law. It shall keep a record of all its proceedings and of all receipts and disbursements under its management, which records shall be open at all times to inspection by the Governor or a committee of the Legislature to examine or inspect the same.

§ 3. That Section 216aa-8 of Carroll's Kentucky Statutes (Baldwin's Revision of 1930), being Section 8 of Chapter 16 of the Acts of the General Assembly of 1928, be and the same is hereby repealed, amended and re-enacted so that the same when so amended and re-enacted shall read as follows:

The board shall appoint a superintendent and receiver for each of the institutions under its management and control and shall fix the compensation of each of said superintendents and receivers.

§ 4. That Section 216aa-16 of Carroll's Kentucky Statutes (Baldwin's Revision of 1930), being Section 16 of Chapter 16 of the Acts of the General Assembly of 1928, be and the same is hereby repealed, amended and re-enacted, so that the same when so amended and re-enacted shall read as follows:

The board shall provide for such officers and employees for each institution and for such clerical and other assistants for itself as it may deem necessary, except that the board may not dispense with a superintendent and a receiver for each institution.

§ 5. That Section 216aa-25 of Carroll's Kentucky Statutes (Baldwin's Revision of 1930), being Section 25 of Chapter 16 of the Acts of the General Assembly of 1928, be and the same is hereby repealed, amended and re-enacted, so that the same when so amended and re-enacted shall read as follows:

Appropriations made for the Board of Charities and Corrections shall be payable by warrant drawn by the Auditor. The Board may draw upon the Auditor of public accounts monthly for such sums of money as are necessary to run the institution under its control, including the salaries due all members of the board, officers and employees. The order upon the Auditor shall specify the purpose for which the expenditure was made and the amount and the persons to whom paid. The order shall be signed and approved by the chairman of the board and shall not be issued except by order of the board entered of record, specifying the amount and the purpose for which the expenditure was made and to whom. When such order is received by the Auditor he shall draw his warrant on the State Treasury in favor of the person specified in said order and the amount directed to be paid, and said warrant must specify for what purpose the money is to be used and the fund from which said money is paid, and the State Treasurer shall, out of the money in the State Treasury, appropriated to the Board of Charities and Corrections, pay said warrants. Said orders and warrants shall be carefully preserved and shall become vouchers for the amounts paid to be specified by them.

§ 6. That Section 216aa-27, Carroll's Kentucky Statutes (Baldwin's Revision of 1930), being Section 27 of Chapter 16 of the Acts of the General Assembly of 1928, be and the same is hereby repealed, amended and re-enacted so that the same when so amended and re-enacted shall read as follows:

The superintendents shall examine all claims and accounts against their respective institutions, and report any fact or circumstance indicating any irregularity, fraud or wrong to the Board of Charities and Corrections, and if they have any

doubt of the justice or legality of any of the claims they may require both the superintendent and the receiver to endorse their opinion in writing, on the back thereof; and it shall be the duty of said officer to endorse any claim when required by the board to do so; and the Board of Charities and Corrections shall not direct any claim, or part thereof, to be paid until they are satisfied from such investigations as may be necessary, that the same is just, legal and right; and no claim of any kind shall be paid, in whole or in part, whether presented by an officer of the institution or other person, until it shall have been examined and approved by the receiver and submitted to the Board of Charities and Corrections and determined by them to be just and right and directed to be entered upon the record of its proceedings; and the chairman of the said Board of Charities and Corrections shall not issue any order for the payment of money upon the Auditor of public accounts except for the amount of claims which have been so submitted by the board, allowed by it, and ordered to be paid.

§ 7. That Section 216aa-28, Carroll's Kentucky Statutes (Baldwin's Revision of 1930), being Section 28 of Chapter 16 of the Acts of the General Assembly of 1928, be and the same is hereby repealed, amended and re-enacted so that the same when so amended and re-enacted shall read as follows:

Whenever the chairman of the State Board of Charities and Corrections shall issue an order for the payment of money, he shall cause the number, amount and date thereof, and the name of the person in whose favor it is made, to be entered by the secretary in a separate book kept for that purpose; and whenever he shall receive any money for the use of the institutions, he shall cause the same to be entered by the secretary in said separate book, but in a different part of it, stating the amount of money and when and from whom received, and thereupon he shall deposit said money and other means (of whatever character they may be) with the treasurer and take his receipt therefor and preserve it as a voucher.

§ 8. That Section 216aa-4 of Carroll's Kentucky Statutes

(Baldwin's Revision of 1930), being Section 4 of Chapter 16 of the Acts of the General Assembly of 1928, be and the same is hereby repealed.

§ 9. That Section 216aa-5 of Carroll's Kentucky Statutes (Baldwin's Revision of 1930), being Section 5 of Chapter 16, Acts of the General Assembly of 1928, be and the same is hereby repealed.

§ 10. That Section 216aa-6 of Carroll's Kentucky Statutes (Baldwin's Revision of 1930), being Section 6 of Chapter 16, Acts of the General Assembly of 1928, be and the same is hereby repealed.

§ 11. All Acts, or parts of Acts, in conflict herewith are hereby repealed to the extent of such conflict.

§ 12. Whereas, it is necessary for the efficient management of the various institutions under the control and management of the State Board of Charities and Corrections that the management provided for in this Act shall not be delayed, an emergency is hereby declared to exist and this Act shall take effect from and after its passage and approval, as required by law.

The Committee proposes the following amendments to said bill:

Amend Senate Bill 79 by striking out line 7 of Section 1 thereof and substituting in lieu thereof the following, "Department of Public Welfare."

Amend Senate Bill 79 by striking from the printed bill all of Section Three thereof, beginning with line 1 and ending with line 8.

Senator Allie W. Young moved the adoption of said amendments.

The question being taken thereon, was decided in the affirmative and

Said amendments were adopted.

Senator Allie W. Young moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	O. M. Rogers
W. W. Booles	Silas Jacobs	R. H. Royster
Edwin C. Dawson	Rev. C. D. McCaw	Joe Stewart
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Chas. G. Franklin	E. C. Moore	Sewell B. Williams
Perry B. Gaines	D. C. Naive	W. A. Yates
Arch Hamilton	Marion F. Pogue	Allie W. Young
J. S. W. Holloway	Dr. G. W. Ragan	—23

Those who voted in the negative were:

H. M. Brock	Alex E. Johnson	J. M. Rose
Dr. T. J. Edge	Frank I. Lloyd	Fred C. VanHoose
Walter N. Flippin	Wm. Mehler	F. M. White
Wm. Isaacs	Ray B. Moss	—11

The Committee proposed the following amendment to the title of said bill:

Amend title to S. B. 79 by striking from line 1 of the title of the printed bill the following: 216aa-8.

Senator Allie W. Young moved that said amendment to the title be adopted.

The question being taken thereon, it was decided in the affirmative.

Said title was amended.

Resolved that the title thereof be as amended.

Senator Allie W. Young moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 188. An Act to amend Section 191 of the Criminal Code of Practice relating to the formation of the jury and providing for a thirteenth juror in certain cases.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 191 of Carroll's Criminal Code of Practice, Baldwin's 1927 Edition, be amended and re-enacted to read as follows:

When an issue of fact in a criminal prosecution is about

to be tried, the clerk shall draw, in the manner directed by the Kentucky Statutes, the names of twelve jurors, who, if not challenged by the parties, nor excused by the court, shall compose the trial jury; provided, that, at the sound discretion of the court, in all capital or other felony cases, a thirteenth juror may be selected and qualified and throughout the trial shall be treated as one of the jury, provided, however, that said thirteenth juror shall take no part in the deliberations or verdict of the jury except when one of the twelve has been excused by the court upon some reasonable ground. The said thirteenth juror shall be selected and qualified as now provided by law for the other jurors, save that no additional peremptory challenges shall be allowed on account of the selection and qualification of such thirteenth juror.

Senator Franklin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Walter N. Flippin	Wm. Isaacs
W. W. Booles	Chas. G. Franklin	Alex E. Johnson
H. M. Brock	Perry B. Gaines	Frank I. Lloyd
Edwin C. Dawson	Arch Hamilton	Rev. C. D. McCaw
Dr. T. J. Edge	J. S. W. Holloway	Wm. Mehler
Thos. C. Ferguson	Robert Humphreys	E. C. Moore

Ray B. Moss	J. M. Rose	F. M. White
D. C. Naive	R. H. Royster	Sewell B. Williams
Marion F. Pogue	Joe Stewart	W. A. Yates
Dr. G. W. Ragan	Thos. O. Turner	Allie W. Young
O. M. Rogers	Fred C. VanHoose	—32

Resolved that the title thereof be as aforesaid.

Senator Franklin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 195. An Act to provide the circuit courts of this State with copies of the Statutes and Codes of Practice and Supplements thereto and repealing Section 2432 of Carroll's Kentucky Statutes, Baldwin's 1930 Revision.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That on a certificate from the circuit judge of any circuit court of this State that such circuit court is without a copy of the latest edition or revision of Carroll's Kentucky Statutes and/or Codes of Practice, the State Librarian be and he is hereby required and directed to furnish to the circuit clerk of such circuit court a copy of the Statutes or Codes so lacking for the use of the circuit judge in such circuit court and shall, on such certification of such circuit judge that such copy of the Statutes and/or Codes of Practice have been lost, mutilated or torn, furnish to such circuit clerk for the use of the circuit judge in such circuit court a duplicate copy of such book so lost, mutilated or torn, and shall furnish to such

circuit clerk for such circuit judge from time to time any supplement or supplements issued to such Statutes and/or Codes. In courts of continuous session possessing more than one judge, the Librarian shall furnish a copy of such Statutes and/or Codes and any supplement thereto to each judge of such circuit court on such certification. The Librarian shall certify the cost of any book or books so furnished hereunder to the Auditor of Public Accounts who shall issue his warrant on the Treasurer for the same, payable out of the general fund.

§ 2. That Section 2432 of Carroll's Kentucky Statutes, Baldwin's 1930 Revision, be and the same is hereby repealed.

Senator Franklin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Chas. G. Franklin	Alex E. Johnson
W. W. Booles	Perry B. Gaines	Frank I. Lloyd
H. M. Brock	Arch Hamilton	Rev. C. D. McCaw
Edwin C. Dawson	J. S. W. Holloway	Wm. Mehler
Dr. T. J. Edge	Robert Humphreys	E. C. Moore
Thos. C. Ferguson	Wm. Isaacs	Ray B. Moss
Walter N. Flippin	Silas Jacobs	D. C. Naive

Marion F. Pogue	R. H. Royster	F. M. White
Dr. G. W. Ragan	Joe Stewart	Sewell B. Williams
O. M. Rogers	Thos. O. Turner	W. A. Yates
J. M. Rose	Fred C. VanHoose	Allie W. Young

—33

Resolved that the title thereof be as aforesaid.

Senator Franklin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 185. An Act to amend Section 36 of Carroll's Code of Criminal Practice, Baldwin's 1927 Edition, relating to arrests.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 3 of section 36 of Carroll's Criminal Code of Practice, Baldwin's 1927 edition, be amended and re-enacted so that said section 36 when amended and re-enacted shall read as follows:

A peace officer may make an arrest—

1. In obedience to a warrant of arrest delivered to him.

2. Without a warrant, when a public offense is committed in his presence, or when he has reasonable grounds for believing that the person arrested has committed a felony.

3. That such peace officer with a warrant of arrest may

cross a county line and proceed as far as two miles therefrom for the purpose of making the arrest in the adjoining county or counties; provided, that such peace officer, when in the actual pursuit of an offender, may go so far as may be necessary for the purpose of making such arrest.

Senator Franklin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	Dr. G. W. Ragan
W. W. Booles	Wm. Isaacs	O. M. Rogers
H. M. Brock	Alex E. Johnson	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Joe Stewart
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
Chas. G. Franklin	E. C. Moore	F. M. White
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch Hamilton	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	—29

Those who voted in the negative were:

Silas Jacobs —1

Resolved that the title thereof be as aforesaid.

Senator Franklin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 300. An Act repealing Section 2739f-4, Kentucky Statutes, Carroll's 1930 Edition, including all and singular sub-sections thereof, being all of Chapter 26 of the Acts of the General Assembly of 1922; and enacting in lieu thereof an act creating a commission of five members to be known as "My Old Kentucky Home Commission," fixing the qualifications and terms of office of the members of said Commission, and prescribing the powers and duties of said Commission and declaring an emergency to exist.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Section 2739f-4, Kentucky Statutes, Carroll's 1930 Edition, including all and singular sub-sections thereof, being Chapter 26 of the Acts of the General Assembly of 1922, be and the same hereby is repealed.

§ 2. There hereby is created a commission to be known as "My Old Kentucky Home Commission," The said Commission shall be composed of the Governor of the Commonwealth of Kentucky; and four members to be appointed by the Governor and confirmed by the Senate, each of whom shall be a resident of the Commonwealth of Kentucky, and must have resided in the Commonwealth of Kentucky for at least ten years next preceding his or her appointment, and must be reasonably conversant with the history of the Commonwealth of Kentucky. The Governor, as a member of said Commission, shall be entitled to a vote only in cases of tie vote among

the other members. The members of the said Commission shall be appointed by the Governor immediately after the effective date of this act. The term of office of each member shall be four years from the date of appointment and qualification. Each and every member of said Commission shall be eligible for re-appointment. The position as member of said Commission shall not be construed as incompatible with any other official position or office within this Commonwealth. The members of said Commission shall serve without compensation; and a majority thereof shall constitute a quorum for the transaction of business. The Commission shall meet as soon as practicable after appointment, qualification and confirmation; and shall organize by electing one of its members as vice-chairman, and another as secretary. The Commission shall also elect a treasurer. The Governor shall be chairman.

§ 3. The Commission is hereby empowered and authorized to employ such assistants and employees as it may deem necessary to efficiently and economically discharge the the duties imposed upon it by law; and it is empowered and authorized to fix the salary and compensation of those so employed, with salary or compensation shall be paid out of the State Treasury upon certification by the Commission to the Auditor of Public Accounts, and charged to the appropriation which may be made by the General Assembly for the use and benefit of the Commission.

§ 4. All monies received by the Commission, no matter from what source, shall be deposited with the Treasurer of the Commonwealth of Kentucky, and shall be paid out only on proper certification made by the Commission to the Auditor of Public Accounts.

§ 5. The Commission shall have the right to receive donations and gifts for the improvement and/or maintenance of the property; and shall have the power to institute, promote and/or advance an "Old Kentucky Home Memorial Association," and provide for both life and annual membership

therein, and fix the fees for such membership; but the fee for a life membership in such an association shall be $25.00 and the fee for an annual membership in such an association shall be $5.00. All sums received as a result of the payment of membership fees in such association, shall be used by the Commission for the improvement and maintenance of the said memorial, all vouchers to be paid through the office of the Auditor of Public Accounts and Treasurer of the Commonwealth of Kentucky. All gate receipts shall be handled in a like manner. No member of such "Old Kentucky Home Memorial Association" shall have any vote or voice in the management of the affairs of the Commission, but the names of all members of such association shall be kept upon an official register at "My Old Kentucky Home." The Governor is hereby authorized and empowered to appoint an Executive Committee, and such other committees as he may deem best.

§ 6 The regular meeting place of the Commission shall be at "My Old Kentucky Home" near Bardstown, Kentucky; but the Commission may hold other meetings in the State as may be deemed best. This Commission shall hold regular meetings at least every two months, and special or called meetings may be held when such a call is made either by the Governor by three members of the Commission.

§ 7. The treasurer shall be required to execute a bond in a sum of not less than Five Thousand ($5000.00) Dollars, the bond to be approved by the Commission and the premiums on said bond shall be paid out of any funds at the disposal of the Commission. The treasurer, at the end of each month, shall deliver to each member of the Commission and to the Auditor of Public Accounts, and the State Treasurer, a written, itemized statement showing all receipts and disbursements of funds.

§ 8. Any vacancy in said Commission, resulting from death, resignation or other cause, shall be filled for the unexpired term thus vacated, by appointment to be made by the Governor.

§ 9. Nothing in this act shall be construed as revoking or withdrawing the acceptance of title to the estate known as "Federal Hill," together with all of the buildings and appurtenances thereon, including the mansion house, which estate is more particularly described in a deed of conveyance made on the 22nd day of March, 1921, by and between Mrs. Madge Frost, party of the first part, and the members of the Old Kentucky Home Commission, parties of the second part; which deed is of record in the office of the Clerk of the County Court of Nelson County in Deed Book No. 88 at page 580; which acceptance of title is expressly made by the General Assembly by Section 1, Chapter 26 of the Acts of the General Assembly of 1922.

§ 10. The Commission created and provided for in this act shall succeed to all the rights, powers, privileges and duties of the Commission appointed and provided for pursuant to the provisions of Chapter 26 of the Acts of the General Assembly of 1922, and shall succeed to and be vested with, as herein set out, the title to all the property, money, subscriptions, donations and endowments of said former Commission.

§ 11. If any section, clause, sentence, paragraph or provision of this act shall be held invalid or unconstitutional, such fact shall not affect the remainder of the act.

§ 12. Inasmuch as there is criticism as to the economical propriety of the expenditure of some of the funds of the present Commission, the Commission appointed under this act shall immediately take over the possession and control of said property; and because of that condition, an emergency hereby is declared to exist and this act shall take effect immediately upon its passage, approval by the Governor and the qualification of the commissioners herein provided for.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	O. M. Rogers
W. W. Booles	Silas Jacobs	R. H. Royster
Edwin C. Dawson	Rev. C. D. McCaw	E. D. Stephenson
Thos. C. Ferguson	C.T.McCormick,Sr.	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	D. C. Naive	Sewell B. Williams
Arch Hamilton	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Allie W. Young

—24

Those who voted in the negative were:

Walter N. Flippin	Frank I. Lloyd	J. M. Rose
Wm. Isaacs	Wm. Mehler	Fred C. VanHoose
Alex E. Johnson	Ray B. Moss	F. M. White

—9

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 307. An Act to amend Section 7 of Chapter 35, Acts of the General Assembly of 1914, (Section 415 B-7 Ky. Statutes, 1922-30) relating to pensions for confederate soldiers.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 7 of Chapter 35, Acts of the General Assembly of 1914, the same being Section 415B-7 Kentucky Statutes, 1922-30, be and the same is now amended and re-enacted and when amended and re-enacted shall read as follows:

That when a person to whom a pension has been granted shall die, the amount due such pensioner at the date of his death shall be paid to an administrator who shall be appointed by the County Judge of the county where the pensioner resided at the time of his death, and also to such administrator the amount of funeral and burial expenses to the extent of not more than $100.00 in each case. The Commissioner of Pensions shall before the next succeeding date for the payment of pensions, furnish to said administrator a voucher for the amount due the pensioner at the time of his death, which shall be filled out and returned to said Commissioner, together with a properly verified claim of the undertaker for the funeral and burial expenses of the pensioner, which same shall be approved by the County Judge of the County in which said pensioner resided, or died or was buried, all of which shall by the Commissioner be filed with the Auditor of Public Accounts, who shall issue his warrant to the administrator for the unpaid portion of the pension, and a warrant to the claimant for the funeral and burial expenses, or in the latter case, upon proper and satisfactory proof of the fact, the warrant may be issued to any one paying such funeral or burial expenses.

The administrator shall distribute the pension money to such persons as are legally entitled thereto.

In case of the death of a pensioner who at the time of his death there is due no unpaid pension money, then the funeral and burial expenses ,shall be paid as is above provided.

The sums paid for funeral and burial expenses shall be paid out of any fund now or hereafter appropriated for Confederate pensions.

§ 2. All laws or parts of laws and Acts in conflict herewith are now repealed.

Senator Pogue moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	Alex E. Johnson	R. H. Royster
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Joe Stewart
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
Chas. G. Franklin	E. C. Moore	F. M. White
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch Hamilton	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Allie W. Young
Robert Humphreys	Dr. G. W. Ragan	—35

Resolved that the title thereof be as aforesaid.

Senator Pogue moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 183. An Act to amend section 28 of Carroll's Criminal Code of Practice, Baldwin's 1927 edition and relating to bail in criminal cases.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 28 of Carroll's Criminal Code of Practice, Baldwin's 1927 edition, be amended by adding thereto the following:

"If the offense charged be a felony and if it be bailable, the magistrate or the judge of the county court who issued the warrant may in his discretion make such indorsement on the warrant fixing the amount of bail and such indorsement shall likewise authorize the sheriff, or his deputy or any such constable to take the bail;" so that said section when amended and re-enacted shall read as follows:

"If the offense charged be a misdemeanor, the person arrested may immediately give bail for appearing on a day to be named in the bailbond, either before the magistrate who issued the warrant or the judge of the county court, for an examination of the charge, or before the court having jurisdiction to try the offense; and an indorsement to that effect, stating the amount of the bail to be given, and that the bail may be taken by the sheriff of the county where the arrest is made or where the offense was committed or by any constable

making the arrest shall be made on the warrant of arrest, and such indorsement shall authorize the sheriff, or his deputy or any such constable to take the bail. If the offense charged be a felony and if it be bailable, the magistrate or the judge of the county court who issued the warrant may in his discretion make such indorsement on the warrant fixing the amount of the bail and such indorsement shall likewise authorize the sheriff, or his deputy or any such constable to take the bail."

Senator Franklin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	Alex E. Johnson	R. H. Royster
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Joe Stewart
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
Chas. G. Franklin	E. C. Moore	F. M. White
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch Hamilton	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Allie W. Young
Robert Humphreys	Dr. G. W. Ragan	—35

Resolved that the title thereof be as aforesaid.

Senator Franklin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 152. An Act to repeal Chapter 13 of the Acts of the General Assembly of 1912, same being sections 4398a-1, 4398a-2, 4398a-3, 4398a-4, 4398a-5, Carroll's 1922 Edition Kentucky Statutes, relating to the inspection of school funds and authorizing the State Superintendent of Public Instruction to act as Special State Inspector and Examiner of all schools in cities, towns and counties receiving funds directly or indirectly from the State or said cities, towns or counties, and to amend and re-enact section 4023, Carroll's 1922, Edition Kentucky Statutes by adding thereto the following words, to-wit: "It shall be the duty of said State inspector once each year to inspect and examine into the fiscal management and conduct of the office of all school officials, whose duty it is to receive, handle or disburse the public school funds of the State or any city, town, county or taxing district, and to make a written report to the Governor and also to the Commonwealth's Attorney and County Attorney of the county or district where such inspection is made.

Senator Williams moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 193. An Act to amend and re-enact Sections 971-3,

971-4, 971-10, 971-12 and 971-13 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930.

Senator Franklin moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 170. An Act defining school districts; setting out powers and duties of boards of education therein; indicating procedure relating to the organization, control and operation of the common schools therein; providing for the general welfare of the public schools of the Commonwealth; providing for a uniform census every three years; exempting school pupils from toll on roads, bridges and ferries; repealing various scattering provisions of old law relating to division boards of education and other provisions covered by this Act and not consistent with it.

Senator Rogers moved that said bill be recommitted to Education with leave to report at any time.

The question being taken thereon, was decided in the affirmative.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 42. An Act authorizing the Board of Regents of the Morehead State Teachers College to acquire by gift certain property in Johnson County and thereto to establish, operate and maintain a Normal School and Teachers College at Paintsville in Johnson County, Kentucky, under the name of "John C. C. Mayo College of the Morehead State Teachers College."

Senator Allie W. Young moved that said bill be postponed indefinitely.

The question being taken thereon, was decided in the affirmative.

Said motion was agreed to.

Senator Johnson moved that the Senate do now adjourn.

Said motion was agreed to.

THURSDAY, FEBRUARY 11, 1932

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by the Reverend Dr. Wise of the Presbyterian Church of Frankfort.

The roll of the Senate was called and the following Senators answered to their names:

Jas. H. Bondurant	Silas Jacobs	J. M. Rose
W. W. Booles	Alex E. Johnson	R. H. Royster
H. M. Brock	L. C. Littrell	Dr. Lewis Ryans
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Joe Stewart
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
Chas. G. Franklin	E. C. Moore	F. M. White
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch Hamilton	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Allie W. Young
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young
Wm. Isaacs	O. M. Rogers	—38

Senator Gates F. Young moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Dawson moved that the privileges of the floor be extended to Mr. and Mrs. Golden Harned of Boston, Ky.

Said motion was agreed to.

Senator Brock moved that the privileges of the floor be extended to Mr. White L. Moss.

Said motion was agreed to.

Senator Humphreys moved that the privileges of the floor be extended to Will Creasa, Joe Browder and Leslie Weaks.

Said motion was agreed to.

Senator Ferguson moved that the privileges of the floor be extended to Hon. Rodes K. Myers and Mr. D. E. Phillips.

Said motion was agreed to.

Senator Stephenson moved that the privileges of the floor be extended to Messrs. R. G. Wiles and T. H. Harmon of Pikeville.

Said motion was agreed to.

Senator Dawson moved that the privileges of the floor be extended to Mr. and Mrs. W. B. Tatrum, Mr. S. J. Tatrum and G. E. Hurley of Marion County.

Said motion was agreed to.

Senator Booles moved that the privileges of the floor be extended to Mr. Ross, Dr. Shartem, and Judge Shindle of Spencer Co.

Said motion was agreed to.

Senator Williams moved that the privileges of the floor be extended to Mrs. Walter Sebastian, Mr. Don Sebastian and Mrs. McLain.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Mr. L. H. Powell.

Said motion was agreed to.

Senator Hamilton moved that the privileges of the floor be extended to Mr. Hickman of Lexington and Mr. Hardcastle of Cincinnati.

Said motion was agreed to.

Bills of the following titles were introduced, referred and ordered printed, as follows, viz.:

By Senator Lloyd.

S. B. 356. An Act to amend and re-enact Section 1934, Kentucky Statutes, Carroll's 1930 Edition, relating to return of fugitives from justice from another State or territory.

To Committee on Criminal Law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1934, Kentucky Statutes, Carroll's 1930 Edition, be and the same hereby is amended by adding thereto the following proviso:

"In the event that the agent, through no fault, neglect of duty, misfeasance or malfeasance on his own part, shall return to the county in which is located the jail mentioned in the

proclamation, without having custody of the fugitive named in the proclamation, he shall nevertheless be entitled to compensation as provided in this section upon a proper showing to the Auditor of Public Accounts, which shall include an affidavit stating the actual facts and circumstances regarding his failure to return with the fugitive, accompanied by a certified copy of any writ or order releasing said fugitive in the State wherein said fugitive was located and requisitioned, and certified copy of the order of the Governor or other executive authority of such State or territory refusing to honor the requisition of the Governor of Kentucky, and an order of the circuit court or presiding judge thereof of the county in which is located the jail mentioned in the proclamation stating that such court or judge thereof has carefully examined and approved the claim for compensation made by such agent. Upon presentation of such claim to the Auditor of Public Accounts in the manner herein prescribed, and with the approval of the Attorney General of Kentucky, the Auditor of Public Accounts shall draw his warrant upon the State Treasurer in favor of such agent for the amount stated in the claim."

So that said section as amended and re-enacted shall read as follows: In all cases where the Governor of this Commonwealth shall make a requisition upon the governor of any other State or territory for a fugitive from justice, the person named in such requisition as the agent of this Commonwealth shall, unless a different condition is contained in the commission of the agent, be allowed to receive as compensation for his services at the rate of six cents (6c) per mile for the distance he may travel to and from the jail of the county designated in the proclamation to the place where said fugitive may be arrested—the distance to be computed by the route most usually traveled, and such other fees and necessary expenses as he may have to expend in reclaiming and transporting such fugitive. Upon the return of the fugitive to the county in which is located the jail mentioned in the proclamation, the person having him in charge shall go before a magistrate, who shall issue a mittimus to the jailer to receive the prisoner and keep him until he is discharged. In the event that the agent, through no fault, neglect of duty, misfeasance or malfeasance

on his own part, shall return to the county in which is located the jail mentioned in the proclamation, without having custody of the fugitive named in the proclamation, he shall nevertheless be entitled to compensation as provided in this section upon a proper showing to the Auditor of Public Accounts, which shall include an affidavit stating the actual facts and circumstances regarding his failure to return with the fugitive, accompanied by a certified copy of any writ or order releasing said fugitive in the State wherein said fugitive was located and requisitioned, and certified copy of the order of the Governor or other executive authority of such State or territory refusing to honor the requisition of the Governor of Kentucky, and an order of the circuit court or presiding judge thereof of the county in which is located the jail mentioned in the proclamation stating that such court or judge thereof has carefully examined and approved the claim for compensation made by such agent. Upon presentation of such claim to the Auditor of Public Accounts in the manner herein prescribed, and with the approval of the Attorney General of Kentucky, the Auditor of Public Accounts shall draw his warrant upon the State Treasurer in favor of such agent for the amount stated in the claim.

By Senator Humphreys.

S. B. 357. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State primary system of highways in the Commonwealth the following route to-wit: Beginning at Fulton, Kentucky, in Fulton County and continuing from Fulton, Kentucky, via Dukedom to Tri City

on Project 94 in Graves County, Kentucky. This route when established to be designated as Project No. —, and to be entitled to and receive all the benefits relating to the primary system.

By Senator Rogers.

S. B. 358. An Act establishing as part of the primary system of State highways beginning at the junction of Washington and Jefferson Streets in the town of Burlington, Boone County, Kentucky, thence in a southerly direction to what is known as the Tanner road where it intersects the Burlington and Union Road; thence in a southerly direction to State Highway No. 42, known as the Florence and Louisville Road about one mile north of the town of Union.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That State Primary Road Project No. — be and the same is hereby established as a part of the primary road system of State Highways of the Commonwealth of Kentucky, a road from a point at the junction of Washington and Jefferson streets in the town of Burlington, Boone County, Kentucky, thence in a southerly direction to what is known as the Tanner Road and thence with said road to where it intersects the Burlington and Union Road; thence in southerly direction to State Highway No. 42 known as the Florence and Louisville Road about one mile north of the town of Union.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1930, establishing and creating a primary system of State Highways.

By Senator Booles.

S. B. 359. An Act to repeal, amend and re-enact Section 165a-18, Carroll's Kentucky Statutes, Baldwin's Revision, official Edition of 1930, relating to organized banks under the laws of this State.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 165a-18, Carroll's Kentucky Statutes, Baldwin's Revision, Official Edition of 1930, be and the same is hereby repealed and in lieu thereof there is hereby enacted the following:

Any bank organized under the laws of this State and subject to the provisions of this act, may place its affairs and assets under the control of the banking commissioner, by posting a notice on the front door, as follows: "This bank is in the hands of the banking commissioner." The notice must be signed by a majority of the directors in their own handwriting, and they shall forthwith notify the banking commissioner, by telegraph, of such act. The posting of such notice, or the taking charge of any such bank by the banking commissioner, shall be sufficient to place all its assets and property, of whatever nature, in the possession of the banking commissioner: Provided that any bank organized under the laws of this State may close its bank and cease to engage in the banking business for a period of ten days and re-open and engage in business in the discretion of its Board of Directors, and such closing shall not be deemed an act of insolvency or a violation of the laws of this State.

By Senator Ragan.

S. B. 360. An Act, entitled, "An Act prohibiting the pos-

session, sale, or manufacture in other than its natural State, Marihuana, India Hemp, or Hasheesh, except for medicinal or scientific purposes, and prescribing the penalties for violation thereof.

To Committee on Public Health.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any person or persons in this Commonwealth to possess, sell, barter, trade, give away, or manufacture in any other than its natural state, any marahuana, India hemp or hasheesh for use or consumption by any person, except under the direction and in course of treatment by a regularly licensed physician, and except as is now, or may be hereafter permitted by the laws of the United States or the State of Kentucky in any compound or other form, for medicinal or scientific purposes.

§ 2. Upon proof of the possession, sale, giving away or manufacturing of any such marahuana, India hemp or hasheesh, the burden shall be upon the person charged to prove its legitimate use, in accordance with the previous section.

§ 3. Upon conviction for a violation of the foregoing sections, any person or persons so convicted shall be fined not more than $500.00 or imprisoned in jail for a period not to exceed one year, or both so fined and imprisoned.

By Senator Moss.

S. B. 261. An Act to repeal and re-enact Section 6 of "An Act to repeal and re-enact an Act entitled: "An act granting pensions to indigent and disabled Confederate soldiers and their widows' which became a law February 28th, 1928," and which Act repealing and re-enacting it was Chap-

ter 150, Acts of 1928, page 521, and said Section 6 of the 1928 re-enacted Act is now Section 415b-6 of the present 1930 Edition of Carroll's Kentucky Statutes.

To Committee on Veterans' Legislation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1 of Chapter 150, Acts of 1928, page 521, now section 415b-6 of the 1930 Edition of Kentucky Statutes be amended and re-enacted so that when so re-enacted it will read as follows: That any Confederate veteran who has been an actual bona fide resident of this State continuously since January 1, 1907, and who did actual military service in the Confederate army from the date of his enlistment till the close of the war or until he was honorably discharged as an officer or private soldier or sailor in the military and naval service of the Confederate States of America in the war of 1861-65, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1890, and who was living with him as his lawful wife at the time of his death and who has not re-married again since the death of her veteran husband, but if re-married, again becomes a widow by the death of or divorce from her husband, shall be paid out of the State Treasury the sum of $20.00 per month upon proof of the fact according to forms and regulations prescribed by this Act and conditions therein; Provided, that any officer or private soldier or sailor who was prevented from so serving until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this Act as though he had served until the close of the war or until honorably discharged; and provided, further, that any officer or private soldier or sailor who deserted or was dishonorably discharged, shall not be entitled to the benefits of this Act unless he be re-enlisted or returned to the service in the Confederate

army and served until the close of the war or until he was honorably discharged or was prevented from so serving by wounds received or contracted in line of duty which rendered him unable to perform further military service.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

By Senator Moss.

S. B. 262. An Act to amend and re-enact Section 3751a, Kentucky Statutes, Carroll's 1930 Edition, relating to the payment of premiums of bonds executed by State officials.

To committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3751a, Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby amended and re-enacted so that, as amended and re-enacted, said section shall read as follows:

All State officers elected by the voters of the State at large and all appointive officers who, upon assuming their respective offices, are required under the law to execute a bond to the Commonwealth of Kentucky for the faithful discharge and performance of their duties, and who shall have such bond executed by any incorporated surety company authorized to do a surety business in the State of Kentucky shall pay the premium on such bond, and the amount paid for such premium shall be and become a valid claim against the State, and shall be paid in the same manner as other claims are paid; Provided that in each case in which a claim is made for the payment of premium on the bond executed as above set out, the officer executing the bond as principal shall verify the

claim by his affidavit, and that the amount of premium to be paid on the bond shall be approved by the governor of the Commonwealth. This act to take effect upon its passage and in due course of law.

By Senator Moss.

S. B. 263. An Act to amend the workmen's Compensation law of Kentucky in so far as same applies to appeals, and to repeal Sections 4936, 4937 and 4939 of said Statute.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sections 4936, 4937, and 4939 of Carroll's Kentucky Statutes, 1930 Edition, be and they are each hereby repealed.

§ 2. When an amount sufficient under existing laws to authorize an appeal to the Court of Appeals is involved, the judgment of the Compensation Board shall be subject to appeal to the Court of Appeals, the scope of whose review shall include all matters, as is now and hereafter provided and with the same authority as provided by law in appeal to the Court of Appeals in equitable actions and the same procedure as to appeal, now provided by law in equitable actions shall apply as to said appeals from the Workmen's Compensation Board.

§ 3. All laws and parts of laws in conflict herewith are hereby repealed.

By Senator Jacobs.

S. B. 364. An Act creating and establishing a Hog Caller's Association, providing its organization, manner of electing its officers, and fees to be paid by members.

To Committee on Criminal Law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established an association to be known as the Hog Callers' Association of Kentucky. It shall have a president and a secretary. The man who took the prize at the last State fair as the best hog caller shall by virtue of his championship be ex-officio president. The secretary shall be the fellow who had the biggest hog at said fair. The president and secretary shall effect this organization by sending notice to every fellow who has any hog or hogs to call. If any one who has hogs can't call hogs he shall take lessons under the directions of the president for one week for which there shall be no charge.

§ 2. Every hog caller shall pay $5 each as membership fee and in default of payment the president shall confiscate one hog of said owner to the use and benefit of said president. The fees paid by the hog callers shall go to pay the salaries of the president and secretary. They shall not receive more than $5,000 each and if there is a surplus after said salaries are paid it shall go into the treasury to pay literature and other necessary expenses.

The president shall hold office one year and his successor shall be the last champion caller at last preceding fair. The secretary shall hold office for a similar time and his successor shall be the last champion big hog man. This money shall be divided between the president and the secretary in the presence of a delegation of one hundred hog callers, and 100 hogs must also be present.

All laws and parts of laws in conflict herewith are hereby repealed.

As there are a number of hogs that have not been called

for some time and as this is mast year and a lot of hogs are wild and need calling an emergency is hereby declared to exist and this act shall take effect and be in force from and after the minute it passes.

By Senator Ragan.

S. B. 365. An Act entitled "An Act to prohibit the habitual use of Morphine, Cocaine, Eucaine, Heroin, or any other derivative of Opium or Coca Leaves, and prescribing the penalties for violation thereof.

To Committee on Public Health.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any person to habitually use, or become addicted to the use of morphine, cocaine, eucaine, heroin, or other derivative of opium or cocoa leaves, unless such person is under the care of a regularly licensed physician, and such drug or drugs are being prescribed by such physician in the course of treatment.

§ 2. Any person found guilty of a violation of the foregoing section shall be fined not more than $100.00 or confined in jail not more than fifty days, or both so fined and imprisoned.

§ 3. Upon proof of the habitual use of or addiction to the use of any such narcotic drug, the burden shall be upon the defendant to establish the fact of treatment by a regularly licensed physician.

By Senator Brock.

S. B. 366. An Act for the relief of Taxi Operators and giving them the right to pick up passengers on any Highway

in the Commonwealth of Kentucky when returning from a specified trip or point to which they have conveyed any passengers or made any trips.

To Committee on Motor Vehicles and Transportation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. On and after the approval of this Act, it shall be legal and lawful and is hereby declared to be just, reasonable and fair, that any Taxi owner, operator, or driver of Taxis who engages services to any passengers, from one point to another over the public Highways of this Commonwealth, to pick up any other passenger on his return trip from said point on any Highway in this Commonwealth and to convey said passenger whom he may pick up on said return trip, to any point desired by said passenger.

Said owner, operator, or driver may make any charge agreed upon with said passenger for said service.

All laws or parts of laws in conflict hereof are hereby repealed.

By Senator Flippin.

S. B. 367. An Act to amend and re-enact Section 1222, Kentucky Statutes, 1930, Chapter 182, Section 95, Session Acts of 1893.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 182, Section 95, of the Acts of the General

Assembly of 1893, now Section 1222, Kentucky Statutes, 1930 edition, be and the same is hereby amended and re-enacted as follows:

By adding the word "falsely" between the words "to" and "accuse" in lines 6 and 7 of said Statute, and by adding between the words "money" and "goods" in lines 8 and 9 of said Statute, the following "wrongfully or to which such person is not lawfully entitled," so that said Statute when so amended and re-enacted shall read as follows:

If any person shall knowingly send any letter, with or without a name signed thereto, or with a fictitious name, threatening to kill another, or to do him or his wife or child harm, or to burn or destroy his house or other property, or to falsely accuse him or his wife or child of a felony, with the intention to extort or gain money wrongfully or to which such person is not lawfully entitled, goods, wares or merchandise, or a deed or other instrument of writing from the person so threatened, or from any other, he shall be confined in the penitentiary not less than one nor more than five years.

A message was received from the House of Representatives announcing that they had adopted a Resolution.

Be it resolved by the General Assembly of the Commonwealth of Kentucky, now in regular session;

1. That it is the sense of the General Assembly of the Commonwealth of Kentucky that there exists and has existed for several years of the immediate past the necessity of making adequate survey of sections of the Cumberland River lying within and immediately near to the corporate limits of the cities of Harlan, Middlesboro, Pineville and Barbourville, in Harlan, Bell and Knox Counties, Kentucky, and certain affected portions of said cities and certain of the outlying contiguous territory, all constantly menaced by and subject to damage caused by overflows and inundations by the waters of said river in times of tides, and that, in order to prevent such

overflows and inundations of said river and Yellow Creek, to thereby save the people and their property in the said cities and those of said outlying contiguous sections of unbearable damage consequent upon said water inundations, and that there should be appropriated by the Congress of the United States a sufficient sum of money out of the Treasury of the United States to remedy said deplorable situation, and

2. Whereas, portions of said cities are situated on both sides of said Cumberland River and Yellow Creek, at or near to a marked and acute bend in the river and creeks, thereby causing the river and creeks, in times of its tides, to overflow the banks and inundate sections of said cities and immediately outlying sections and causing the damage aforesaid. These affected sections embrace the homes of many families and the business enterprises and farm lands and homes of many of the citizens who are and always have been loyal to the government of the United States of America. They are industrious but poor in a financial sense and by their efforts and contributions along with others of said cities they have erected splendid schools and churches within said cities. Many of these people and their wives and children have often been driven from their homes by said tides to seek temporary places to stay until the water subsided, when they return to their homes and find them filled with mud and other refuse caused by the ravages of the river and creeks. And,

3. Whereas, the hills and valleys lying and sloping from the mountains of Tennessee and within the river water shed, above said cities have been, in the recent past, largely denuded of the forests and that of itself has, it is believed, contributed to the frequency of the tides and increased volume thereof. So that the affected sections and people mentioned are in well-nigh constant dread of the devastating angry waters. The people of the said sections are absolutely unable to financially and otherwise relieve the situation and relief of same is a public necessity.

4. Now, therefore, be it further resolved that the Kentucky Senators and Representatives in Congress be and

they are hereby requested to exercise their utmost endeavors in securing from our Federal Government the enactment of a statute directing an early survey of the premises aforesaid and the appropriation of a sufficient sum of money to remedy the situation aforesaid by having constructed such canal or spill ways at the proper place near said cities, necessary to divert sufficient portions of the waters of the Cumberland River and Yellow Creek, in times of tides, to prevent the damaging overflows and inundations aforesaid.

Senator Brock moved the suspension of the rules, and the adoption of said resolution.

Said motion was agreed to.

The question being taken on the adoption of the resolution it was decided in the affirmative.

Said resolution was adopted.

COMMITTEE REPORTS

Senator Rogers of the Committee on Education, to which had been referred a bill of the following title:

S. B. 131. An Act to amend and re-enact Section 4426-1, of Kentucky Statute Supplement, Act of 1926, Chapter 82, page 282, of the General Assembly.

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

S. B. 200. An Act defining plumbing, master plumber and journeyman plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to qualified registered master plumbers and registered journeyman

plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky; and also granting to the State Board of Health of Kentucky the power to adopt and promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating the kind of materials and fixtures including supply pipes, waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this Act and providing penalties for violation of the provisions of this Act.

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

H. B. 35. An Act authorizing cities of the third class in Kentucky by ordinance to establish groups of its police or fire departments to obtain the advantages of the group plan of life insurance; and to appropriate from the funds of the city in aid thereof any sum annually, not exceeding fifty per cent of the annual premiums on such policies.

Amend House Bill No. 35 in the Senate by way of substitute which said substitute shall be in words and figures as follows, to-wit:

An Act authorizing cities of the second and third classes in Kentucky to establish groups of city employees to obtain the advantages of the group plan of life insurance or the group plan of sick and accident insurance, or both; and to appropriate from the funds of the city in aid thereof any sum annually up to one hundred per cent of the annual premiums on such policies.

Reported with expression of opinion that same ought to pass with the amendment.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

S. B. 179. An Act enabling cities of the third class, to acquire, construct, operate and maintain electric light, heat and power plants to issue revenue bonds of such cities to pay the cost thereof, payable solely from the revenues of such works without the incurrence of indebtedness of such cities.

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

H. B. 40. An Act to amend Section 561 of Carroll's Kentucky Statutes, 1930 Edition, being an Act concerning the termination of the existence of corporations, and how such termination is effected.

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

S. B. 36. An Act relating to the licensing of the business or occupation of contracting painting or decorating, in cities of the first and second class and requiring such contracting painter or decorator to obtain permits from said city and making it the duty of said city to issue permits before doing any painting or decorating and providing penalties for the violating of said Act.

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

S. B. 97. An Act to provide for making and preserving plats of boundaries of cities and taxing districts.

Reported with expression of opinion that same ought to pass.

Senator Pogue of the Committee on Kentucky Statutes No. 2, to which had been referred a bill of the following title:

S. B. 120. An Act relating to fees, providing for the repeal, amendment, and re-enactment of Section 1748 of Carroll's Kentucky Statutes, 1930 Edition, Article XIV, Assistant Secretary of State.

Reported with expression of opinion that same ought to pass.

Senator Brock of the Committee on Mines and Mining, to which had been referred a bill of the following title:

H. B. 259. An Act relating to the safe development and operation of minerals, providing regulations for the location of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells; defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith.

Reported with expression of opinion that same ought to pass.

Senator Royster of the Committee on Fish and Game, to which had been referred a bill of the following title:

S. B. 337. An Act to amend Section 1938a-5, rabbits, of the Kentucky Statutes, Carroll's 1930 Edition, relating to the open season on rabbits.

Reported with expression of opinion that same ought to pass.

Senator Ragan of the Committee on Public Health, to which had been referred a bill of the following title:

S. B. 336. An Act to amend and re-enact Subsection 2a of Section 938e of Carroll's Kentucky Statutes, 1930 Edition, authorizing the County Board of Health in counties embracing cities of the fifth class to contract for hospital facilities and providing for a county levy therefor, so as to extend the provisions of said subsection to counties having a city or cities of the fourth class.

Reported with expression of opinion that same ought to pass.

Senator Royster of the Committee on Fish and Game, to which had been referred a bill of the following title:

S. B. 202. An Act relating to Game and Fish Commission, amending and re-enacting Sections 1 and 2 of Chapter 53, and repealing Section 3 of Chapter 53, of the Acts of the General Assembly of 1930.

Reported with expression of opinion that same ought to pass.

Senator Moore of the Committee on Courts and Legal Procedure, to which had been referred a bill of the following title:

H. & S. B. 186. An Act relating to juries and amending and re-enacting Sections 2249, 2251 and 2260, Carroll's Kentucky Statutes, 1930 Edition.

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

S. B. 248. An Act enabling cities of the second class to construct, operate and maintain a municipal light, heat and power plant; providing for a commission in such cities of the second class to construct, operate and maintain such municipal light, heat and power plant, and fixing the powers and duties of such commission, and providing for the issuance of revenue bonds of such cities to pay the costs thereof, payable solely through revenue derived from the sale of electrical current from such light, heat and power plant without the incurrence of indebtedness of any such city.

Reported with expression of opinion that same ought to pass.

Senator Allie W. Young of the Committee on Kentucky Statutes No. 1, to which had been referred a bill of the following title:

S. B. 37. An Act creating a board of censors of motion picture films, providing for the appointment of the members thereof by the Governor of the Commonwealth of Kentucky, fixing the terms and salaries of its members, providing for the payment of the expenses of such board, fixing the fees to be charged by such board, providing for the disposition of the funds collected, regulating the censorship and exhibition of motion pictures in Kentucky, prohibiting discrimination in favor of or against competing exhibitors having the same or similar accommodations and facilities in the exhibition thereof, and providing penalties for the violation of this Act.

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

S. B. 313. An Act to define the duties of the County

Surveyor in counties containing more than 200,000 population, and to provide compensation for them.

Reported with expression of opinion that same ought to pass.

Senator Allie W. Young of the Committee on Kentucky Statutes No. 1, to which a resolution of the following title had been referred:

S. Res. 24. Joint resolution of the General Assembly of Kentucky, to provide for the appointment of a commission to suggest amendments to the Constitution of Kentucky, to prescribe the powers and duties of said commission; to appropriate $10,000 to carry out the purposes of this Act.

Reported with expression of opinion that same ought to pass.

ENROLLMENT REPORT

Senator Stewart, of the Committee on Enrollment, reported that they had examined and found correctly enrolled, bills and resolutions which originated in the Senate, of the following titles:

H. B. 9. An Act amending and re-enacting Section 14 of Chapter 19 of the Acts of 1916, being an Act entitled: An Act for further regulation of fire insurance companies, agents, rates, fire prevention, etc., providing for the statement with application for license for agent, defining and enlarging powers and duties of the Insurance Commissioner in relation thereto, and repealing all laws in conflict herewith; approved March 15, 1916; which is now Section 762-a-14, Carroll's Kentucky Statutes.

Whereupon all other business was suspended; said bills and resolutions were read at length and compared in open Senate, and were found to be correctly enrolled. Thereupon, the President of the Senate, in open session, in the presence

of the Senate, affixed his signature to saids bills and resolutions.

Ordered that the Enrolling Clerk deliver said bills and resolutions to the House of Representatives.

Senator Johnson moved that Miss Gay Young, daughter of Senator Allie W. Young, be made honorary page.

Said motion was agreed to.

CALENDAR

Senator Gates F. Young moved that the second reading of bills and resolutions at length be dispensed with and that they be read by their titles only.

Said motion was agreed to by a majority of the members elected.

It was ordered that the bills and resolutions be read by their titles only.

Said titles to bills are as follows:

S. B. 220. An Act granting members of Fraternal Benefit Societies the right to designate certain beneficiaries to receive the payment of death benefits; exempting certain societies from the provisions of the Act; and amending Sections 681c-6 and 681c-29 of Carroll's Kentucky Statutes; and repealing said sections and all laws and parts of laws in conflict therewith.

S. B. 328. An Act to repeal and re-enact Section 4365r of Kentucky Statutes, Carroll's 1930 Edition, relating to county road overseers.

S. B. 329. An Act to repeal and re-enact Section 1845 of Kentucky Statutes, Carroll's 1930 Edition, relating to compensation of members of Fiscal Courts.

S. B. 332. An Act to amend and re-enact Section 1472, Carroll's Kentucky Statutes, 1922 Edition.

S. B. 175. An Act to repeal an Act relating to cities and towns, being Chapter 738 of the Act of General Assembly, Session 1858, approved February 17, 1858.

ORDERS OF THE DAY

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 30. An Act to repeal and re-enact Section 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

Senator Stewart moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 145. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of dentistry in the State of Kentucky.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and

further providing for definition of terms used, enforcement of and penalty for violation of this Act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 57. An Act to repeal and re-enact Section 2290-B, Carroll's Kentucky Statutes, addition the same being Chapter 123 of the Acts of the General Assembly of 1910, providing that eight (8) hours shall constitute a day for laborers and mechanics employed on all public works in this Commonwealth. And providing for the enforcement of and penalties for violation thereof.

Senator Rose moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 107. An Act relating to jailers and providing for the consoildation of the office of jailer with that of the sheriff, providing that the duties of the jailers in each county of the Commonwealth of Kentucky shall be performed by the sheriff of the county, and providing for compensation for the sheriff for performing his duties as jailer of each county of the Commonwealth of Kentucky, and providing for the dieting of prisoners confined in the county jail in each county of the Commonwealth of Kentucky; and repealing Section 1730, Section 2231 and Section 2232, Carroll's Kentucky Statutes, 1930 Edition.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of three hundred dollars ($300) or less, secured or unsecured, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest, discount, consideration, or charge than six per centum (6%) per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars ($300) or less, providing for the administration of this Act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and findings of the Banking Commissioner under this Act, and repealing so much of Section 4224A, Carroll's Kentucky Statutes (1930), as applies to persons licensed under this Act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes (1930), and repealing all Acts and parts of Acts in conflict with the provisions of this Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 172. An Act defining plumbing, master plumber and journeyman plumber in counties containing cities of the

first and second class of the Commonwealth of Kentucky, providing for examinations and issuing certificates to qualified registered master plumbers and registered journeyman plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky; and also granting to the State Board of Health of Kentucky the power to adopt and promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating kind of materials and fixtures including supply pipes, waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this Act and providing penalties for violation of the provisions of this Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 112. An Act relating to juries and amending and re-enacting Sections 2249, 2251 and 2260, Carroll's Kentucky Statutes, 1930 Edition.

Senator Franklin moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 33. An Act to amend and re-enact Section 965-35, Kentucky Statutes, 1930, Carroll's Edition, as amended by Chapter 29, 1930, Acts of the General Assembly of the Commonwealth of Kentucky, relating to circuits and fixing the

time for holding court in the 35th Judicial District of the Commonwealth of Kentucky, composed of Pike and Letcher Counties, and declaring an emergency.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 213. An Act to promote safety in places of employment, elevators, boilers and pressure vessels, creating a Kentucky Industrial Safety Board in the Department of Labor, providing for the appointment and qualifications of members thereof, and defining its powers and duties; providing that the chief officer of the Department of Labor shall be the secretary and administrative officer of said board, prescribing the duties of said secretary, and providing that he shall perform said duties without additional compensation; authorizing the employment of necessary employees; and making an appropriation for the administration of this Act; and providing penalties for the violation thereof; and providing the payment of certain fees for inspection of boilers, and for enforcing payment thereof by actions in the Franklin Circuit Court, and further providing for variations in and for review of the rules and orders of said board and for appeals therefrom.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 209. An Act to amend and re-enact Section 3024-a-4 of Carroll's Kentucky Statutes, 1930 Edition, which is Sec-

tion 4 of Chapter 16 of the Acts of the General Assembly of 1906, pertaining to the controlling, management and operation of water works in cities of the first class.

Senator Yates moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 151. An Act relating to the safe development and operation of minerals; providing regulations for the location of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells; defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 95. An Act to amend and re-enact Section 1482 of the Baldwin's 1931 Supplement to Carroll's Kentucky Statutes, and being Section 4 of Chapter 49 of the Acts of the General Assembly of the Commonwealth of Kentucky at its 1930 session.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 193. An Act to amend and re-enact Sections 971-3, 971-4, 971-10, 971-12 and 971-13 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930.

Senator Franklin moved that said bill be made a special order for Tuesday, February 16, 1932, at 11 o'clock A. M.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 223. An Act to amend Section 192 of the present Constitution of the Commonwealth of Kentucky.

Senator Hamilton moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 154. An Act authorizing cities of the fourth and fifth classes to provide insurance or maintenance for arresting officers, who may sustain injury, in discharge of official duty, which incapacitates such officers; and, support for widows and orphans of such officers who lose their lives in discharge of official duty, and provide funds and taxes therefor, and procedure for securing same and determining amounts to be paid; and for trials, and appeals concerning same.

Senator Moss Moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 125. An Act empowering the State Board of Charities and Corrections to direct probation in Kentucky and providing for the designation and special compensation of a member of said board to act as Chief Director of Probation and for the compensation of other employees and appropriating necessary funds from the general fund for its administration.

Senator Hamilton moved that said bill be made a special order for Tuesday, February 16, 1932, at 2 o'clock P. M.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 126. An Act to provide for the postponement of the rendition of judgment and the use of probation in criminal cases, providing for the appointment and compensation of probation officers and defining their powers and duties.

Senator Hamilton moved that said bill be made a special order for Tuesday, February 16, 1932, at 2 o'clock P. M.

Said motion was agreed to.

Senator Gates F. Young moved that when the Senate adjourn today, it adjourn until Monday, February 15, 1932, at 1 o'clock P. M.

Said motion was agreed to.

Senator Gates F. Young moved that the Senate recess until 1:30 o'clock P. M.

Said motion was agreed to.

The Senate reconvened at 1:30 o'clock P. M.

Senator Holloway moved that the privileges of the floor be extended to Mr. Prewitt Harris of Winchester.

Said motion was agreed to.

Senator Pogue moved that the privileges of the floor be extended to Prof. V. O. Gilbert and Mrs. Gilbert of Louisville.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Mr. Dorsey Allen of Brandenburg and Mrs. Blanch Johnson.

Said motion was agreed to.

Senator Brock moved that the privileges of the floor be extended to Col. W. S. Dudley.

Said motion was agreed to.

Senator Stephenson moved that the privileges of the floor be extended to Messrs. James Claggett and F. G. Rockwell of Pikeville.

Said motion was agreed to.

Senator Moss moved that the privileges of the floor be extended to Misses Scott, Bowman, Reading, Huffman, Gunn, Mr. Hardcastle, Mr. Hickman and Mr. Holiday.

Said motion was agreed to.

Senator Gaines moved that the privileges of the floor be extended to Mrs. John Brown, Mrs. Shelby Riner, Mrs. Robert Matthews and Mrs. Murrell Middleton.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 306. An Act to amend and re-enact Section 4148, Kentucky Statutes, Carroll's 1930 Edition, relating to the time and manner of payment of taxes.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4148, Kentucky Statutes, Carroll's 1930 Edition, be and the same hereby is amended by adding thereto the following proviso:

Provided, however, that the sheriff or collecting officer whose duty it is to collect or receive taxes may, at any time after the taxes mentioned in this section shall become due, receive less than the face amount of the tax bill and credit the same on account of the amount due, including the amount of interest and penalties then due, and all such payments shall be credited upon the tax bill, or upon sheets annexed thereto for that purpose, and acknowledged in writing or by a rubber stamp, indicating the amount or amounts from time to time so paid to such sheriff or collecting officer.

So that said section as amended and re-enacted shall read as follows: All State, county and district taxes, except as otherwise specially provided, shall be due and payable on and after the first day of March after the assessment, and all taxpayers whose taxes are not paid on the thirty-first day of December after the same are due shall be deemed delinquent, and such taxes shall bear interst at the rate of six per cent (6%) per annum from the thirty-first day of December after they are due until paid, and any person or persons failing to pay their taxes by the thirty-first day of December in the year

following the assessment for such taxes, shall pay a penalty of six per centum (6%) additional on the taxes due and unpaid. Providing any taxpayer who pays his or her or its State, county or district taxes on or before September 1, after same becomes due in any year shall be entitled to two per cent (2%) discount thereon, and the collector, in case of all such payments will allow such reduction and give a receipt in full to the taxpayer. The sheriff or collector whose duty it is to receive or collect the taxes shall collect the interest and penalty and account for the same in the same way in which they are required to collect and account for the taxes. Provided, however, that the sheriff or collecting officer whose duty it is to collect or receive taxes may, at any time after the taxes mentioned in this section shall become due, receive less than the face amount of the tax bill and credit the same on account of the amount due, including the amount of interest and penalties then due, and all such payments shall be credited upon the tax bill, or upon sheets annexed thereto for that purpose, and acknowledged in writing or by a rubber stamp; indicating the amount or amounts from time to time so paid to such sheriff or collecting officer.

Senator Lloyd moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	O. M. Rogers
W. W. Booles	Alex E. Johnson	J. M. Rose
H. M. Brock	L. C. Littrell	Dr. Lewis Ryans
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Joe Stewart
Thos. C. Ferguson	Wm. Mehler	Fred C. VanHoose
Walter N. Flippin	E. C. Moore	F. M. White
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch Hamilton	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Allie W. Young
Wm. Isaacs	Dr. G. W. Ragan	Gates F. Young

—33

Resolved that the title thereof be as aforesaid.

Senator Lloyd moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 144. An Act providing for the creation of an educational commission, prescribing its powers and duties and the duties of persons in connection with it, and fixing penalties for failure to perform same, and declaring an emergency.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Kentucky Educational Commission shall consist of the Superintendent of Public Instruction and eight appointed members. The Governor of this Commonwealth is

authorized to appoint these members, not more than half of whom shall be persons actively engaged in educational work.

§ 2. It shall be the duty of this commission to direct a study of public education in Kentucky and report its findings to the Governor and the General Assembly of this Commonwealth at the opening of its next regular session, with recommendations of such measures and such revision of our school code as may be found necessary for increasing the efficiency and equalizing the benefits of public education throughout the Commonwealth.

§ 3. The Superintendent of Public Instruction shall be the chairman of the commission, and it shall on his nomination and recommendation appoint such assistants and incur such expenses as may be necessary; and the Superintendent of Public Instruction shall pay all the expenses of the commission and its assistants from any funds that may become available for such purpose.

§ 4. The members of the commission shall receive no pay for their services, but be reimbursed for expenses authorized by the commission and actually incurred in the discharge of duties imposed by this Act, the evidence of such expenses to be submitted as provided in Section 359a-1, Kentucky Statutes.

§ 5. The commission and the persons working under its direction shall be accorded free access to all public records. Any person who wilfully withholds public records or information within his possession or obstructs the work of the commission in any way shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than one hundred ($100.00) dollars.

§ 6. Because of the urgent need of a general revision of the common school laws of Kentucky and a reorganization of the State's program of public education, an emergency is hereby declared to exist, and this Act shall take effect from and after its passage and approval.

Senator Allie W. Young moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	R. H. Royster
H. M. Brock	Alex E. Johnson	E. D. Stephenson
Edwin C. Dawson	Frank I. Lloyd	Joe Stewart
Dr. T. J. Edge	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	E. C. Moore	F. M. White
Walter N. Flippin	Ray B. Moss	Sewell B. Williams
Chas. G. Franklin	D. C. Naive	W. A. Yates
Arch Hamilton	Marion F. Pogue	Allie W. Young
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys	O. M. Rogers	
Wm. Isaacs	J. M. Rose	—31

Resolved that the title thereof be as aforesaid.

Senator Allie W. Young moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 78. An Act to amend Section 1072 of Carroll's Kentucky Statutes, 1930 Edition.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1072 of Carroll's Kentucky Statutes, 1930 Edition, be amended by adding the words: "Provided, however, that said salaries shall be fixed not later than the first day of May in the year in which said officers are nominated and elected," so that said section when so amended will read as follows: "The county judge, clerk of the fiscal court and county attorney shall receive an annual salary, to be fixed at a reasonable amount by the fiscal court, and paid in monthly installments by the county; provided, however, that said salaries shall be fixed not later than the first Monday in May in the year in which said officers are nominated and elected."

Senator Flippin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	J. M. Rose
W. W. Booles	Alex E. Johnson	R. H. Royster
H. M. Brock	L. C. Littrell	Dr. Lewis Ryans
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Fred C. VanHoose
Thos. C. Ferguson	Wm. Mehler	F. M. White
Walter N. Flippin	E. C. Moore	Sewell B. Williams
Chas. G. Franklin	Ray B. Moss	W. A. Yates
Perry B. Gaines	D. C. Naive	Allie W. Young
J. S. W. Holloway	Marion F. Pogue	Gates F. Young
Robert Humphreys	Dr. G. W. Ragan	
Wm. Isaacs	O. M. Rogers	—34

Resolved that the title thereof be as aforesaid.

Senator Flippin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 293. An Act providing for the protection and assistance of aged and needy persons in the Commonwealth of Kentucky, and prescribing penalties for violation of the provisions hereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established and authorized a fund, payable out of moneys not otherwise appropriated from the State Treasury, for the benefit of aged and needy persons in the Commonwealth of Kentucky.

§ 2. Every person domiciled within the Commonwealth of Kentucky who shall comply with the provisions of this act shall be entitled to a pension in old age. The amount of such pension shall be fixed by order of the Circuit Court of the judicial district within which the applicant resides, upon the filing of application therefor in said court, but in no event shall the pension exceed the sum of One Hundred Forty-four ($144.00) Dollars per annum, and any order granting the application for a pension shall be subject to review in the Court of Appeals, upon an appeal prosecuted by the Commonwealth as now provided by law in other cases.

§ 3. An old age pension shall be granted only to an applicant who has attained the age of ninety years or over, who has been a citizen of and domiciled within the State of Kentucky for a period of at least twenty-five years next before making such application for pension. Provided, however, that no person shall be entitled to an old age pension who is a professional beggar, or who by manual labor or by his skill or knowledge of any profession, trade, or craft is able to earn any sum in excess of ..... dollars per annum, or who at the time of his application to the circuit court of his judicial district receives or is about to receive a pension from the United States or from any State or county within the United States, including the county of his residence, or from any State or foreign government, or from any source whatsoever, which when added to his earnings shall exceed the sum of ..... dollars, per annum, or who possesses property of the value of ..... dollars, or more, or who has an income from any source in excess of ..... dollars per annum, or who is, or about to become, at the time of his application, an inmate of any State, county, or charitable institution within this State or elsewhere, or who has deprived himself directly or indirectly of any property for the purpose of qualifying for relief under this act, or who has a child or other person responsible under the laws of this State for his support who is able to support such applicant.

§ 4. Upon the death of the person pensioned under the provisions of this act, or of the survivor of a married couple,

both of whom were so pensioned, the total amount paid as pension, together with three per cent (3%) annually, shall be allowed and deducted from the estate or estates of such persons by the court having jurisdiction to settle the estate or estates. The amount so recovered shall be paid into the State Treasury and shall become a part of the State Old Age Pension Fund.

§ 5. An applicant for pension under this act shall file his application in writing in the office of the Clerk of the Circuit Court of the county within which he is domiciled, on forms prescribed for that purpose by order or regulation of the State Treasurer, duly sworn to by applicant, and the burden shall at all times be upon the applicant to show that he is a person coming within the purview of this act. An applicant whose application has been rejected by the circuit court may not again apply for a pension for twelve months thereafter. The Circuit Judge shall cause the Circuit Clerk to issue to each applicant to whom a pension is allowed a certificate stating the date on which the pension payments shall commence and the amount of each installment thereof, which may be paid either monthly or quarterly as the court in its discretion may determine. Each pensioner shall be required, upon motion of the Attorney General or of the Commonwealth's Attorney or County Attorney, to file from time to time reports as to his living conditions, and if it appears at any time that the applicant's circumstances have changed, the Circuit Court of the county in which he is domiciled at the time shall have the power and authority to revoke any pension certificate theretofore granted, but in the event that the applicant shall have removed to some other county, then it shall be the duty of the Clerk of the Circuit Court in which the certificate was granted to forward a certified copy of all papers in the matter to the Circuit Court Clerk of the county of the applicant's residence at such time.

§ 6. Any person who by means of a wilfully false statement or representation or by impersonation or other fraudulent device, obtains or attempts to obtain or aids or abets any person to obtain a pension certificate for himself or another,

to which he or such other person is not entitled, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred ($500.00) dollars or imprisonment in the county jail for not more than one year, or punished by both such fine and imprisonment.

§ 7. This act shall be strictly construed as against the applicant and liberally construed in favor of the Commonwealth of Kentucky, and the Auditor of Public Accounts in no event is authorized to draw his warrant for the payment of any pensions except such as may be allowed in strict conformity with the provisions of this act and upon the presentation to him of a certified copy of the pension certificate accompanied by certified copies of all papers filed with the application in the Circuit Court of the county in which the pensioner or proposed pensioner or applicant for pension is domiciled.

§ 8. This act shall take effect on the first day of July, 1932.

§ 9. All laws or parts of laws in conflict herewith are hereby repealed.

Senator White moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Rev. C. D. McCaw	Joe Stewart
H. M. Brock	Wm. Mehler	Fred C. VanHoose
Dr. T. J. Edge	E. C. Moore	F. M. White
Thos. C. Ferguson	Ray B. Moss	Sewell B. Williams
Walter N. Flippin	Dr. G. W. Ragan	W. A. Yates
Chas. G. Franklin	J. M. Rose	Allie W. Young
J. S. W. Holloway	R. H. Royster	Gates F. Young
Wm. Isaacs	Dr. Lewis Ryans	
Frank I. Lloyd	E. D. Stephenson	—25

Those who voted in the negative were:

Arch Hamilton	D. C. Naive	—2

The rule of the Senate requiring two- thirds of the members elected that any bill be reported without an expression of opinion be read into the calendar being cited,

Therefore, said first reading of said bill was rejected.

Senator Ryans moved that the Senate do now adjourn.

Said motion was agreed to.

Senator Holloway moved that said bill be recommitted to the Committee on Kentucky Statutes No. 2 with leave to report at any time.

Said motion was agreed to and said bill was recommitted to the Committee on Kentucky Statutes No. 2.

Senator McCaw of the Committee of Classification of cities and towns, to which had been referred a bill of the following title:

S. B. 321. An Act to provide for the creation and organization of a city planning and zoning commission for cities of the third and fourth class and surrounding territory which bears relation to the planning and zoning thereof; to prescribe

and regulate the powers and duties of such commission; to empower cities of the third and fourth class, through the mayor, board of commissioners or general council thereof, to take such action as may be necessary, by ordinance or otherwise, to approve and effectuate the commission's action insofar as it may affect property within the limits of such city, and to provide a fund for defraying the expenses of the commission and to levy a tax for that purpose; to authorize the fiscal court of the county in which a city of the third or fourth class is located, to approve or disapprove the action of the commission insofar as it affects property located outside the limits of such city, but within the limits of the county; to empower cities of the third and fourth class, by ordinance, to provide for the appointment of a board of adjustment and define the powers and prescribe the procedure of such board; to provide for an appeal to the circuit court of the county, and thence to the Court of Appeals, from the orders, decisions or rulings of the board of adjustment; to provide penalties for violation of this act or any ordinance or regulation made under authority conferred thereby, and also to provide a remedy by proceedings in court for an injunction or other similar relief.

Reported without expression of opinion.

Senator Ferguson moved that said bill be given its first reading, the report of the committee to the contrary notwithstanding.

The yeas and nays of the Senate being ordered thereon on said motion, resulted as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	E. C. Moore
Edwin C. Dawson	Alex E. Johnson	Ray B. Moss
Thos. C. Ferguson	L. C. Littrell	D. C. Naive
Walter N. Flippin	Frank I. Lloyd	Marion F. Pogue
Perry B. Gaines	Rev. C. D. McCaw	Dr. G. W. Ragan
Robert Humphreys	Wm. Mehler	O. M. Rogers

Dr. Lewis Ryans	Joe Stewart	Sewell B. Williams
E. D. Stephenson	Fred C. VanHoose	Allie W. Young

—23

Senator Pogue of the Committee on Kentucky Statutes No. 2 to which had been referred a bill of the following title:

S. B. 153. An Act creating a Board of Censors of motion picture films, providing for the appointment of the members thereof by the Governor of the Commonwealth of Kentucky, fixing the terms and salaries of its members, providing for the payment of the expenses of such Board, fixing the fees to be charged by such Board, providing for the disposition of the funds collected regulating the censorship and exhibition of motion pictures in Kentucky, prohibiting discrimination in favor of or against competing exhibitors having the same or similar accommodations and facilities in the exhibition thereof, and providing penalties for the violation of this Act.

Reported with expression of opinion that same should not pass.

Senator Holloway moved that said bill be given its first reading, the report of the committee to the contrary notwithstanding.

The question being taken thereon, was decided by two-thirds of the members elected.

Said motion was agreed to.

Senator Allie W. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 94. An Act to amend and re-enact Section 1460, of the 1930 Edition of Carroll's Kentucky Statutes.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 152. An Act to repeal Chapter 13 of the Acts of the General Assembly of 1912, same being Sections 4398a-2, 4398a-3, 4398a-4, 4398a-5, Carroll's Kentucky Statutes, 1922 Edition, relating to the inspection of school funds and authorizing the State Superintendent of Public Instruction to act as Special State Inspector and Examiner of all schools in cities, towns and counties receiving funds directly or indirectly from the State or said cities, towns or counties, and to amend and re-enact Section 4623, Carroll's 1922, Edition Kentucky Statutes, by adding thereto the following words, to-wit: "It shall be the duty of said State Inspector once each year to inspect and examine into the fiscal management and conduct of the office of all school officials, whose duty it is to receive, handle or disburse the public school funds of the State or any city, town, county or taxing district, and to make a written report to the Governor and also to the Commonwealth's Attorney and County Attorney of the County or district where such inspection is made."

Senator Williams moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 1. An Act authorizing, regulating and governing the transportation for compensation of persons and property

by motor vehicles on public highways; giving the Railroad Commission of Kentucky, jurisdiction over such transportation, with authority to fix rates and exercise other powers in connection therewith; providing for the payment of taxes and fees incident thereto; prescribing punishment and penalties, and repealing all laws in conflict herewith.

Senator Allie W. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 101. An Act to further regulate motor trucks, semi-trailer trucks, semi-trailers, and trailers, to enlarge the powers of the State Highway Commission, county courts, and cities and incorporated towns in respect thereof, to provide for enforcement of the Act and penalties for violations thereof, and repealing all laws inconsistent therewith.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said resolution in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Arch Hamilton	Wm. Mehler
H. M. Brock	J. S. W. Holloway	E. C. Moore
Edwin C. Dawson	Robert Humphreys	Ray B. Moss
Dr. T. J. Edge	Silas Jacobs	D. C. Naive
Thos. C. Ferguson	L. C. Littrell	Marion F. Pogue
Chas. G. Franklin	Frank I. Lloyd	Dr. G. W. Ragan
Perry B. Gaines	Rev. C. D. McCaw	O. M. Rogers

J. M. Rose	Joe Stewart	W. A. Yates
R. H. Royster	Fred C. VanHoose	Allie W. Young
E. D. Stephenson	Sewell B. Williams	Gates F. Young

—30

Resolved that the title thereof be as aforesaid.

Senator Stewart moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

The Senate took up for consideration from the Orders of the Day a resolution entitled:

SENATE RESOLUTION 23

Joint Resolution for the benefit of the city of Hardinsburg, and authorizing the State Highway Commission of Kentucky to ascertain the cost of construction of Federal Aid Highway No. 60 through the corporate limits of said city over the route hereinafter described, and to pay the amount thereof to the city of Hardinsburg.

Said Resolution reads as follows:

Whereas, the State Highway Commission has constructed Federal Highway No. 60 up to the corporate limits of the city of Hardinsburg on both sides of said city, and

Whereas, the City Council of said city, without electing to act under and in pursuance of the terms and provisions of Chapter 178 of the Acts of 1928, has constructed or caused to be constructed, by an ordinance duly enacted after the construction of Federal Highway No. 60, a street running through said city, upon the ten-year bond plan, as provided by Kentucky Statutes, Section 3706, of a type of construction different from the type theretofore constructed by the Highway Commission up to the corporate limits on either side of said city, said street being eighty-four one hundredths (.84) miles in length and described as follows: Depot Street from easterly

city limits to Main Street; Main Street from Depot Street to Owensboro Avenue; Owensboro Avenue from Main Street to westerly city limits, and

Whereas, the city of Hardinsburg now desires to avail itself of the provisions of Chapter 178 of the Acts of 1928; now, therefore,

Be it enacted by the Senate (the House of Representatives concurring):

That the Commonwealth of Kentucky, by and through its agent, the State Highway Commission of Kentucky, be and it hereby is authorized to ascertain the actual cost of the construction of Federal Highway No. 60 over the route within the corporate limits of the city of Hardinsburg hereinabove described, and after having done so, the State Highway Commission of Kentucky be and it hereby is authorized to enter into a contract with said city wherein and whereby the State of Kentucky, by and through its agent, the State Highway Commission of Kentucky, as party of the first part, binds itself and agrees to pay to the city of Hardinsburg, as party of the second part, such sum as the State Highway Commission may, in its discretion, determine to be the actual cost of construction through the city for eighty-four hundredths (.84) miles of the same type of road already constructed by said Commission on Federal Highway No. 60 outside of the city limits of said city, and providing that the city of Hardinsburg shall pay or assume the cost of the additional cost of construction by reason of the higher type of road within the limits of said city, and the Auditor of Public Accounts, upon the due execution of said contract and the filing of same in the office of the Secretary of State and upon presentation to the said Auditor of a certified copy thereof, be and he hereby is authorized to draw his warrant upon the State Treasurer payable to the order of the city of Hardinsburg for such sum as may be agreed upon, as provided in said contract and as provided in Chapter 178 of the Acts of 1928.

The Committee on Appropriations proposed the following amendment to said resolution:

Amend Senate Resolution 23 by adding thereto after the figures 1928 at the close of said resolution, the following: Provided, however, that nothing in this resolution shall be construed as obligating the State Highway Commission of Kentucky to enter into any contract with the city of Hardinsburg in violation of the judgment and discretion of said Highway Commission with reference thereto.

Senator Stewart moved that the third reading of said resolution at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said resolution be read the third time.

Resolved that the title thereof be as aforesaid.

Senator Moss moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 84. An Act providing for the reopening and reorganization of closed banks or trust companies or combined banks and trust companies in this Commonwealth.

Senator Hamilton moved that said bill be recommitted to the Committee on Banks and Trust Companies, with leave to report at any time.

Said motion was agreed to by a majority of members elected.

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 274. An Act providing that it shall be unlawful for the mayor and members of Boards of Council of cities of the fourth class to vote for any relatives by blood or marriage for any office set out in the Charter of the aforesaid class cities, and providing penalty therefor.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That it shall be unlawful for the mayor or any member of the board of council of cities of the fourth class in this State to vote to place any relative by blood or marriage in any of the offices provided under the charters of the cities of the fourth class or to vote for the relatives of the mayor or any other member of the aforesaid board of council while said councilman or mayor is in office or during his term of office.

It is hereby declared a misdemeanor for any mayor or councilman to so vote as to violate the first paragraph of this act, and any one of them so violating same shall be fined in any sum from $100.00 to $500.00 and on conviction shall forfeit his office.

All acts and parts of acts in conflict with this act are hereby repealed.

Senator Rose moved that said bill be laid on the table.

The question being taken thereon, was decided in the negative.

Therefore, said motion was lost.

Ordered that said bill be read the third time.

Senator Moss moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

H. M. Brock	Alex E. Johnson	Dr. Lewis Ryans	
Dr. T. J. Edge	L. C. Littrell	E. D. Stephenson	
Walter N. Flippin	Frank I. Lloyd	Allie W. Young	
Perry B. Gaines	Rev. C. D. McCaw	Gates F. Young	
J. S. W. Holloway	Ray B. Moss		
Wm. Isaacs	D. C. Naive		—16

Those who voted in the negative were:

Arch Hamilton	O. M. Rogers	Sewell B. Williams	
Robert Humphreys	J. M. Rose	W. A. Yates	
Silas Jacobs	Joe Stewart		
E. C. Moore	Fred C. VanHoose		—10

Senator Humphreys moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senator Ryans moved that the Senate do now adjourn.

Said motion was agreed to.

MONDAY, FEBRUARY 15, 1932.

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by Dr. Anderson of the Frankfort Presbyterian Church.

The roll of the Senate was called and the following Senators answered to their names:

Jas. H. Bondurant	Silas Jacobs	J. M. Rose
W. W. Booles	Alex E. Johnson	R. H. Royster
H. M. Brock	L. C. Littrell	E. D. Stephenson
Edwin C. Dawson	Frank I. Lloyd	Joe Stewart
Dr. T. J. Edge	Rev. C. D. McCaw	Thos. O. Turner
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
Chas. G. Franklin	E. C. Moore	F. M. White
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch M. Hamilton	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Allie W. Young
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young
Wm. Isaacs	O. M. Rogers	—35

Senator Gates F. Young moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Naive moved that the privileges of the floor be extended to Mr. Sam Blackburn.

Said motion was agreed to.

Senator Gaines moved that the privileges of the floor be extended to Mrs. Scott Thompson and Mrs. Elgers Morrison of Frankfort.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor

be extended to Mrs. Senator Hon, Mrs. Geo. Tomlinson, Mrs. J. T. Metcalf and Mr. J. T. Metcalf of Winchester.

Said motion was agreed to.

Senator Brock moved that the privileges of the floor be extended to Miss Dixie Byington.

Said motion was agreed to.

Senator Humphries moved that the privileges of the floor be extended to Mr. Geo. Covington and Mr. E. V. Edwards.

Said motion was agreed to.

Senator Edge moved that the privileges of the floor be extended to Hon. E. A. Taylor of Greenville.

Said motion was agreed to.

Senator Isaacs moved that the privileges of the floor be extended to Mrs. Wm. Isaacs of Berea.

Said motion was agreed to.

Senator Moss moved that the privileges of the floor be extended to Mr. H. C. Chappell of Middlesboro.

Said motion was agreed to.

Senator Royster moved that the privileges of the floor be extended to Messrs. J. C. Cannady and W. B. Snow of Providence.

Said motion was agreed to.

Senator Hamilton moved that the privileges of the floor be extended to Mrs. H. H. Tye and Mrs. J. B. Carper.

Said motion was agreed to.

Bills of the following titles were introduced, referred and ordered printed, as follows, viz:

By Senator Allie W. Young.

S. B. 368. An Act to amend and re-enact Subsection (1) of Section 2866, Subsection (3) of Section 2866, and Subsection (4) of Section 2866, Kentucky Statutes, 1930 Carroll's Edition, same being a part of Chapter 115, page 389, Section 82, of the Acts of 1926 session of the General Assembly of Kentucky, relating to and providing for the creation of a Civil Service Board of five members, and for their appointment, qualifications, bonds, term of office, removability and compensation of said board and appointees, and for the levy and assessment of taxes to support said board, and defining the right, powers and duties of said board and declaring an emergency.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Subsection 1, Section 2866, Kentucky Statutes, 1930 Carroll's Edition, be and the same is hereby amended, revised, and re-enacted, so that same when so amended, revised and re-enacted, will read as follows:

(1) There shall be established in cities of the first class a Civil Service Board consisting of five members, two of whom shall be members of the political party receiving the largest number of votes, and two of whom shall be members of the political party receiving the next largest number of votes, at the last preceding general election. The Governor shall appoint the members of the Civil Service Board from lists of five names to be submitted by the said governing bodies of the said respective parties in said cities and the fifth member

of the said board shall be the chairman of said board and shall be elected a member by the four members appointed by the Governor, and said member shall be the chairman of said board, and in case of a tie the Governor shall cast the deciding vote. The legislative body of said cities shall by ordinance fix the bonds of said members. No member of the said governing bodies of the said respective parties or member or officer of the legislative body shall be eligible to membership in said Civil Service Board. The members of the board shall be appointed as soon as practicable after these provisions of this Act go into effect, for a term of four years, and upon the termination of said terms their successors shall be appointed for a term of four years each, and any vacancies occurring within the said respective terms shall be filled for the unexpired term in the same manner as when originally appointed. Any member of said board shall be removable for neglect, incapacity or malfeasance in office by the Governor, after written charges have been preferred by or made to him, upon at least ten days' notice and public hearing. Members of the Civil Service Board shall be at least thirty years of age, and shall have been residents and voters in said city for at least three years, and no member of said board shall be eligible for any appointive office in said city during or for one year after the term for which he was appointed a member of said board, except for reappointment as a member thereof, and no member of the Civil Service Board shall receive any money or other valuable consideration or present of any nature for any purpose whatever from any official or city employee or from any candidate for appointment or for examination or from any person whomsoever for or on account of the recommendation, proposed appointment or proposed promotion, of any person.

The chairman of said board shall devote his entire time to the duties of the enforcement of the provisions of this law and shall be paid an annual salary of $3,000.00, payable in the same manner and at same time as the salaries of other city employees are paid. The other four members of said

board shall be paid $10.00 for each meeting of said board they attend but not to exceed one meeting each week.

That Subsection 3, Section 2866, Kentucky Statutes, 1930 Carroll's Edition, be and the same is hereby amended, revised and re-enacted, so that same when so amended, revised and re-enacted, will read as follows:

(3) The Civil Service Board shall, after public notice and hearing, make, promulgate, and, when necessary, amend rules for the appointment, promotion, transfer, laying off, reinstatement, suspension, fine and removal of the personnel of the divisions of Police Department and Fire Department, and for the classification of men for appointment, promotion and transfer, and shall report its proceedings and rules to the legislative body, the mayor and the director of safety.

Such rules shall, among other things, provide:

(a) For the standardization and classification of all positions and employments in said divisions, and the classification thereof into groups and sub-divisions shall be based upon and graded according to the respective duties and responsibilities thereof and so arranged as to promote the filling of the higher grades so far as practicable, through promotion. All salaries shall be uniform for like services in each grade, as the same shall be standardized and classified by the Civil Service Board.

(b) For open competitive tests to ascertain the relative fitness of all applicants for appointment to said divisions, and such tests shall be practicable and relate to matters which will fairly measure the relative fitness of the candidates to discharge the duties of the positions to which they seek appointment. Notice of such tests shall be given not less than ten days in advance by public advertisement in at least one newspaper of general circulation and by posting a notice in the City Hall.

(c) For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing in examination, and for the filling of places in said departmental divisions by said board by selection from candidates graded highest on such eligible lists, which lists shall remain in force no longer than one year.

In the absence of an appropriate eligible list any place may be filled temporarily by the said board without examination for a period not to exceed thirty days, during which time the Civil Service Board shall hold the necessary examinations for the filling of the place permanently, but persons may be temporarily employed for transitory work without examination for a period not to exceed sixty days, and such employment shall not be renewed.

No person shall be appointed or employed under any title not appropriate to the duties to be performed, and no person shall be transferred to or assigned to perform any duties of any position subject to competitive tests unless he shall have been appointed to the position from which transfer is made as the result of the open competitive test equivalent to that required for the position to be filled, or unless he shall have served with fidelity for at least two years immediately preceding in a similar position of the city. Each list of eligibles, with the respective grades, shall be open to public inspection.

Any person appointed from the eligible list and laid off for lack of work or lack of appropriation shall be placed at the head of the eligible list and shall be eligible for reappointment for a period of eligibility as provided by the rules of the board.

(d) For a period of probation not exceeding six months before an appointment or employment is made permanent.

(e) For reinstatement on the eligible lists of persons who without fault or delinquency are separated from the service.

(f) For promotion from the lower grades to the higher, based upon records of efficiency and seniority to be furnished by the departmental divisions in which the person is employed and kept by said Civil Service Board, or upon competitive promotion tests, or both.

That Subsection 4, Section 2866, Kentucky Statutes, 1930, Carroll's Edition, be and the same is hereby amended, revised and re-enacted, so that same when so amended, revised and re-enacted, will read as follows:

(4) Within six months after the Civil Service Board has promulgated the rules herein provided for, all then members of the division of Police and Fire Departments shall stand the examinations prescribed, and during said period and thereafter said examinations shall be open to all candidates, and all persons taking such examinations shall be graded, classified and their eligibility for service or continued service determined by the Civil Service Board as herein provided, and all appointments, except as otherwise provided, shall be made by said board, from the eligible lists so created. All persons appointed from the eligible lists shall be known as in the Classified Service.

Owing to the fact that the present members of said Civil Service Board have been appointed in direct violation of law, and that said board has not been lawfully organized, an emergency is hereby declared to exist, and this act be effective immediately upon passage and signature by the Governor.

All acts and parts of acts in conflict herewith are hereby repealed.

By Senator Stewart.

S. B. 369. An act to amend and re-enact Section 1093 of the Kentucky Statutes, Carroll's Edition, 1930, relating to the jurisdiction of justices and quarterly courts in penal actions and giving said justice and quarterly courts and the

judge thereof jurisdiction concurrent with Circuit Courts of the offenses of petit larceny.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1093 of the Kentucky Statutes, Carroll's Edition, 1930, be amended and re-enacted by adding a new paragraph thereto, which paragraph shall read as follows:

Justices and quarterly courts and the judges thereof shall have jurisdiction concurrent with Circuit Courts of the offense of petit larceny and when said section is amended and re-enacted by the addition of this new paragraph the same shall read as follows:

1. That justices and quarterly courts and the judges thereof and police courts in cities of the first, second, third, fourth, fifth and sixth class in this Commonwealth and the judges thereof shall have jurisdiction exclusive of Circuit Courts in all penal and misdemeanor cases the punishment of which is limited to a fine not exceeding Twenty ($20.00) Dollars and jurisdiction concurrent with Circuit Courts of all penal and misdemeanor cases the punishment of which is limited to a fine of not exceeding Five Hundred ($500.00) Dollars or imprisonment not exceeding six (6) months or both; but said courts which also have and exercise the same jurisdiction in the enforcement of city ordinances that is now given to them by law.

2. And quarterly courts and judges thereof may and shall take jurisdiction of all city ordinances in towns of the sixth class, imposing fines or forfeitures by ordinances in which said towns there is no acting or qualified police judge, and shall have full power to render and to enforce all judg-

ments rendered thereon and such judgments shall be for the use and benefit of said town of the sixth class.

3. And justices and quarterly courts and the judges thereof shall have jurisdiction concurrent with Circuit Courts of the offense of petit larceny.

By Senator Hamilton.

S. B. 370. An Act to amend and re-enact Section 1472, Carroll's Kentucky Statutes, 1922 Edition.

To Committee on Suffrage and Elections.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1472 of Kentucky Statutes, Carroll's 1922 Edition, be and the same is hereby repealed and re-enacted, so that said section when so repealed and re-enacted shall read as follows:

Before marking such ballot, the voter shall be careful to examine the same to ascertain if the facsimile of the signature of the clerk of election, shows upon such ballot. After marking such ballot, as herein provided, the voter shall, after detaching the secondary stub, deposit such ballot in the ballot box, and it shall be unlawful for any election officer, after such ballot has been delivered to such voter, to look or attempt to look at, or have in his possession, or handle any ballot contrary to law or in any manner whatsoever, except that such voter be a blind or disabled person and cannot mark and deposit his ballot; provided, that failure of the voter to detach the secondary stub, shall not invalidate his ballot. Each voter shall mark his ballot without undue delay and shall not occupy a booth when occupied by another and shall leave the booth and the room when the ballot is marked and deposited

by him in said ballot box. Voters shall not occupy any booth more than three minutes when others are waiting to vote. No voter shall be permitted to electioneer or converse with others while in the voting room concerning their support or non-support of any candidate, party or issue to be voted on except as herein provided. No one shall be permitted in the voting room, except for the purpose of voting, while the officers are holding the election. Election officers will see that this provision is observed. No election officer shall be permitted, while any voter is voting, to go closer than six feet of any election booth, except to provide election utensils and not closer than six feet of the ballot box, which shall be stationed and placed near the voting booth, but in plain view of the election officers, except to aid and assist blind or disabled voters in depositing their ballots, and any violation of this provision, shall be deemed a high misdemeanor and upon conviction therefor, such person shall be fined not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) or may be imprisoned in the county jail not to exceed six months, or both so fined and imprisoned in the discretion of the jury.

By Senator Johnson.

S. B. 371. An Act to amend and re-enact Section 2739j-32 of the Kentucky Statutes, Baldwin's 1931 Supplement, being a portion of Chapter 75 of the Acts of the General Assembly of 1930, entitled, "An Act to amend and re-enact Sections 2739j-22, 2739j-27 and 2739j-32 of the Kentucky Statutes, Baldwin's 1926 Supplement, being Sections 22, 27 and 32 of Chapter 112 of the Acts of the General Assembly of 1926, relating to the supervision and regulation of transportation of persons for compensation over public highways by motor propelled vehicles in this Commonwealth."

To Committee on Motor Vehicles and Transportation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2739j-32 of the Kentucky Statutes, Baldwin's 1931 Supplement, and being a portion of Chapter 75 of the 1930 Acts of the General Assembly of the Commonwealth of Kentucky, entitled, "An Act to amend and re-enact Sections 2739j-22, 2739j-27 and 2739j-32 of the Kentucky Statutes, Baldwin's 1926 Supplement, being Sections 22, 27 and 32 of Chapter 112 of the Acts of the General Assembly of 1926, relating to the supervision and regulation of transportation of persons for compensation over public highways by motor propelled vehicles in this Commonwealth," be amended and re-enacted so that said Section 2739j-32 when amended and re-enacted shall read as follows, to-wit:

Section 2739j-32. No person shall be permitted to drive any automobile or motor bus for the transportation of persons for hire between fixed termini or over a regular or irregular route or on a casual trip over the public highways of the State (except those portions of the public highways lying wholly within the limits of an incorporated municipality) until said person has been granted a license by the Commissioner of Motor Transportation. The said applicant shall pay to the said Commissioner a fee of $8.00 annually. Said application shall contain the name of the applicant, the experience he has had in the operation of motor vehicles and a certificate from some reputable physician as to his eyesight, hearing and condition of health and habits. Before the said applicant is granted a license, he shall be required to take such tests or examination as the commission may require. The The said license, when granted, shall be subject to suspension upon due notice to the holder thereof within ten days before a hearing and said license shall be cancelled after said applicant has violated any of the rules or regulations prescribed by the Commissioner. No license shall be issued to any person under twenty-one years of age. If any license shall be cancelled the holder thereof shall immediately return the badge issued to him by said Commissioner. The above mentioned fee provided for, may be paid annually or quarterly. Nothing herein shall prevent local authorities of municipalities from regulating and licensing drivers of motor vehicles for hire

operating wholly within the incorporated limits of such municipality.

By Senator Johnson.

S. B. 372. An Act to repeal Chapter 25 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1928, granting to women jurors the privilege and right to claim absolute and peremptory exemption from jury service.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 25 of the Acts of the General Assembly of Kentucky, approved March 20, 1928, be and the same is hereby repealed.

By Senator Gates F. Young.

S. B. 273. An Act establishing a primary road project from Pleasant Ridge via Red Hill and Utica to Glenville.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary road system of the Commonwealth of Kentucky a road leading from Pleasant Ridge, in Daviess and Ohio Counties, thence following the county road to Red Hill, thence to Utica and thence to Glenville.

Subject to all conditions set out and provided in Chapter

17 of the Acts of the General Assembly of the Commonwealth of Kentucky establishing and creating a primary system of state highways.

By Senator Holloway.

S. B. 374. An Act taxing physicians or other persons writing or issuing prescriptions for spirituous, vinous and malt liquors, narcotics and other harmful drugs.

To Committee on Public Health.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there shall be levied upon every physician or other person who is now, or may hereafter be legally authorized for writing or issuing any prescription for the procurement of spirituous, vinous or malt liquors, or for any narcotic, or habit-forming, or other harmful drug or drugs, a tax of thirty-three and one-third per cent (33 1/3%) of the amount charged by such physician or other person for writing or issuing the prescriptions.

§ 2. It shall be the duty of every physician or other person coming under the provisions of Section 1 of this Act to report to the State Tax Commission, on the first day of July and January respectively, 1932 and 1933, and annually thereafter on the same dates, on blanks furnished free for that purpose by the State Tax Commission, the number, kind, character and purpose of the prescriptions written for the period last preceding such report, and accompanied by the sum or sums due the Commonwealth as tax or taxes thereunder.

§ 3. It shall be the duty of the State Tax Commission after checking such statements and reports as are required by the provisions of Section 2 of this Act and verifying same,

to issue its approval thereof and its receipts for the tax monies derived therefrom under such reports.

§ 4. The tax monies arising under the exercise of this Act shall be paid into the General Fund and shall be distributed to the Charitable and Penal Institutions in proportion as fixed by the State Budget Commission in its allowances therefor.

§ 5. Penalties. Failure or refusal on the part of any physician or other person, as set out in Section 1, to comply with the provisions of this Act, shall be punishable for each separate offense by a fine of not less than twenty-five ($25.00) nor more than fifty ($50.00) dollars, or revocation of the State License to practice, or both, at the discretion of the trial judge of a court of competent jurisdiction.

§ 6. The provisions of this Act are severable, and if any of its provisions or any penalty provided therein shall be held unconstitutional, such provisions or the particular penalty held to be invalid may be rejected without affecting the remainder of the Act, or such part of the penalties as are not held to be invalid, and the decisions of the Courts shall not affect or impair the remaining provisions of this Act, or any of the other penalties in this Act provided. It is hereby declared as a legislative intent, that this Act would have been adopted had such unconstitutional provisions or such invalid penalties not been included therein.

§ 7. All laws or parts of laws in conflict therewith are hereby repealed, to the extent of such conflict.

§ 8. This Act shall take effect from and after its passage and approval by the Governor, as required by law.

COMMITTEE REPORTS

Senator Pogue of the Committee on Motor Vehicles and Transportation, to which had been referred a bill of the following title:

H. B. 150. An Act requiring all vehicles travelling any highway, public road, or street, to carry lights or lanterns of sufficient brightness to show the outline of the left side of such vehicle, an amendment of Section 2739g-24, Carroll's Edition of Kentucky Statutes, excepting therefrom wagons, buggies or slow moving vehicles or motorless vehicles, while traveling on roads, other than State and Federal or State roads and highways.

Reported with expression of opinion that same ought to pass.

CALENDAR

Senator Gates Young moved that the reading of the bills at length be dispensed with and said bills be read by their titles only.

Said motion was agreed to by a majority of members elected.

It was ordered that said bill be read by its title only and placed in Orders of the Day.

Titles to said bills are as follows:

S. B. 131. An Act to amend and re-enact Section 4426-1, of Kentucky Statute Supplement, Act of 1926, Chapter 82, page 282, of the General Assembly.

S. B. 200. An Act defining plumbing, master plumber and journeyman plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to qualified registered master plumbers and registered journeyman plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky; and also granting to the State Board of Health of Kentucky the power to adopt and promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating

the kind of materials and fixtures including supply pipes, waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this Act and providing penalties for violation of the provisions of this Act.

H. B. 35. An Act authorizing cities of the third class in Kentucky by ordinance to establish groups of its police or fire departments to obtain the advantages of the group plan of life insurance; and to appropriate from the funds of the city in aid thereof any sum annually, not exceeding fifty per cent of the annual premiums on such policies.

S. B. 179. An Act enabling cities of the third class, to acquire, construct, operate and maintain electric light, heat and power plants, to issue revenue bonds of such cities to pay the cost thereof, payable solely from the revenues of such works without the incurrence of indebtness of such cities.

H. B. 40. An Act to amend Section 561 of Carroll's Kentucky Statutes, 1930 Edition, being an Act concerning the termination of the existence of corporations, and how such termination is effected.

S. B. 36. An Act relating to the licensing of the business or occupation of contracting painting or decorating, in cities of the first and second class and requiring such contracting painter or decorator to obtain permits from said city and making it the duty of said city to issue permits before doing any painting or decorating and providing penalties for the violating of said Act.

S. B. 97. An Act to provide for making and preserving plats of boundaries of cities and taxing districts.

S. B. 120. An Act relating to fees, providing for the repeal, amendment, and re-enactment of Section 1748 of Carroll's Kentucky Statutes, 1930 Edition, Article XIV, Assistant Secretary of State.

S. B. 259. An Act relating to the safe development and operation of minerals, providing regulations for the location of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells; defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith.

S. B. 337. An Act to amend Section 1938a-5, rabbits, of the Kentucky Statutes, Carroll's 1930 Edition, relating to the open season on rabbits.

S. B. 336. An Act to amend and re-enact Subsection 2a of Section 938c of Carroll's Kentucky Statutes, 1930 Edition, authorizing the County Board of Health in counties embracing cities of the fifth class to contract for hospital facilities and providing for a county levy therefor, so as to extend the provisions of said subsection to counties having a city or cities of the fourth class.

S. B. 202. An Act relating to Game and Fish Commission, amending and re-enacting Sections 1 and 2 of Chapter 53, and repealing Section 3 of Chapter 53, of the Acts of the General Assembly of 1930.

H. & S. B. 186. An Act relating to juries and amending and re-enacting Sections 2249, 2251 and 2260, Carroll's Kentucky Statutes, 1930 Edition.

S. B. 248. An Act enabling cities of the second class to construct, operate and maintain a municipal light, heat and power plant; providing for a commission in such cities of the second class to construct, operate and maintain such municipal light, heat and power plant, and fixing the powers and duties of such commission, and providing for the issuance of revenue bonds of such cities to pay the costs thereof,

payable solely through revenue derived from the sale of electrical current from such light, heat and power plant without the incurrence of indebtness of any such city.

S. B. 37. An Act creating a board of censors of motion picture films, providing for the appointment of the members thereof by the Governor of the Commonwealth of Kentucky, fixing the terms and salaries of its members, providing for the payment of the expenses of such board, fixing the fees to be charged by such board, providing for the disposition of the funds collected, regulating the censorship and exhibition of motion pictures in Kentucky, prohibiting discrimination in favor of or against competing exhibitors having the same or similar accommodations and facilities in the exhibition thereof, and providing penalties for the violation of this Act.

S. B. 313. An Act to define the duties of the County Surveyor in counties containing more than 200,000 population, and to provide compensation for them.

S. Res. 24. Joint resolution of the General Assembly of Kentucky, to provide for the appointment of a commission to suggest amendments to the Constitution of Kentucky, to prescribe the powers and duties of said commission; to appropriate $10,000 to carry out the purposes of this Act.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 209. An Act to amend and re-enact Section 3024-a-4 of Carroll's Kentucky Statutes, 1930 Edition, which is Section 4 of Chapter 16 of the Acts of the General Assembly of 1906, pertaining to the controlling, management and operation of water works in cities of the first class.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3024-a-4 of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby amended, so that same when amended and re-enacted shall read as follows:

Officers of Board—Said board shall annually elect a president, a treasurer, a secretary and a chief engineer, who shall hold their offices for one year, or until their successors have been duly elected and qualified, and devote all their time to the duties of their respective offices. No member of said board, except the president, shall receive a salary. The president shall be elected from the members of the board. The president shall devote his entire time to his duties of said office, and shall not engage, directly or indirectly, in any other business, occupation or profession. He shall not be interested, directly or indirectly, in any contracts with said water works or with the city owning or controlling said water works. He shall not be interested in any business dealing with said water works or with the city owning or controlling said water works. The president, secretary and treasurer shall each give bond, with approved surety, in such amount as may be fixed by the board, which bond shall be payable to the board of water works, and obligate the makers thereof to perform faithfully the duties of their several offices and faithfully account for and pay over all money or other things of value which may come into their several hands. The combined salaries of the president, treasurer and secretary shall not exceed the sum of nine thousand ($9,000) dollars. The board shall have authority to appoint such other agents or employees as they may deem necessary or proper, and to fix the compensation of its officers, agents or employees; provided, however, that the salary of no officer, agent or employee shall exceed the sum of five thousand ($5,000.00) dollars per annum.

Senator Johnson proposed the following amendment to said bill:

Amend Senate Bill No. 209 by striking therefrom the following words: "and shall not engage directly or indirectly in any other business, occupation or profession."

Senator Johnson moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Yates moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	Frank I. Lloyd	Thos. O. Turner
H. M. Brock	E. C. Moore	Fred C. VanHoose
Perry B. Gaines	Marion F. Pogue	W. A. Yates
Robert Humphreys	E. D. Stephenson	Allie W. Young
Alex E. Johnson	Joe Stewart	Gates F. Young

—15

Those who voted in the negative were:

Edwin C. Dawson	Arch Hamilton	Ray B. Moss
Dr. T. J. Edge	J. S. W. Holloway	D. C. Naive
Walter N. Flippin	Frank I. Lloyd	J. M. Rose
Chas. G. Franklin	Wm. Mehler	F. M. White

—12

Therefore, said bill was rejected for the reason it having failed to receive two-fifths of the members elected to the Senate.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 30. An Act to repeal and re-enact Section 4223c-1 of Carroll's Kentucky Statutes, pertaining to tax on oil production, produced in the State of Kentucky.

Senator Stewart moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 145. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of dentistry in the State of Kentucky. Passed March, 1912.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and further providing for definitions of terms used, enforcement of and penalty for violation of this Act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 57. An Act to repeal and re-enact Section 2290b, Carroll's Kentucky Statutes, addition the same being Chapter 123 of the Acts of the General Assembly of 1910, providing that eight hours shall constitute a day for laborers and mechanics employed on all public works in this Commonwealth, and providing for the enforcement of and penalties for violation thereof.

Senator Rose moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 107. An Act relating to jailers and providing for the consolidation of the office of jailer with that of the sheriff, providing that the duties of the jailers in each county of the Commonwealth shall be performed by the sheriff and providing for compensation of sheriff for performing the duties as jailer and providing for dieting of prisoners confined in county jail and repealing Sections 1730, 2231, 2232, Carroll's Kentucky Statutes, 1930 Edition.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license, and regulate the busi-

ness of making loans or advancements in the amount or of the value of three hundred dollars or less, secured or unsecured, to individuals pressed by lack of funds to meet immediate necessities at a greater rate of interest, discount, consideration, or charge than six per centum per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars or less, providing for the administration of this Act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and findings of the banking commissioner under this Act, and repealing so much of Section 4224a, Carroll's Kentucky Statutes, 1930, as applies to persons licensed under this Act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes, 1930, and repealing all Acts and parts of Acts in conflict with the provisions of this Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 172. An Act defining plumbing, master plumber and journeyman plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to qualified registered master plumbers and registered journeyman plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky; and also granting to the State Board of Health of Kentucky the power to adopt and promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating the kind of materials and fixtures including supply pipes,

waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this Act and providing penalties for violation of the provisions of this Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 112. An Act relating to grand juries, and amending and re-enacting Sections 2249 and 2251, Carroll's Kentucky Statutes, 1930 Edition.

Senator Franklin moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 332. An Act to amend and re-enact Section 1472, Carroll's Kentucky Statutes, 1922 Edition.

Senator Hamilton moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 101. An Act to further regulate motor-trucks, semi-trailer trucks, semi-trailers, and trailers, to enlarge the powers of the State Highway Commission, county courts, and cities and incorporated towns in respect thereof, to provide

for enforcement of the Act and penalties for violations thereof, and repealing all laws inconsistent therewith.

Senator Allie W. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 1. An Act authorizing, regulating and governing the transportation for compensation of persons and property by motor vehicles on public highways; giving the Railroad Commission of Kentucky jurisdiction over such transportation, with authority to fix rates and exercise other powers in connection therewith, providing for the payment of taxes and fees incident thereto; prescribing punishment and penalties; and repealing all laws in conflict herewith.

Senator Allie W. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 223. An Act to amend Section 192 of the present Constitution of the Commonwealth of Kentucky.

Senator Hamilton moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 329. An Act to repeal and re-enact Section 1845 of

Kentucky Statutes, Carroll's 1930 Edition, relating to compensation of members of Fiscal Courts.

Senator Edge moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 151. An Act relating to the safe development and operation of minerals, providing regulations for the location of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells, defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 213. An Act to promote safety in places of employment, elevators, boilers and pressure vessels, creating a Kentucky Industrial Safety Board in the Department of Labor. Providing for the appointment and qualifications of members thereof and defining its powers and duties; providing that the chief officer of the Department of Labor shall be the secretary and administrative officer of said board, prescribing the duties of said secretary, and providing that he shall perform said duties without additional compensation;

authorizing the employment of necessary employees and making appropriation for the administration of this Act; and providing penalties for the violation thereof; and providing the payment of certain fees for inspection of boilers, and for enforcing payment thereof actions in the Franklin Circuit Court and further providing for variations in and for review of the rules and orders of said board and for appeals therefrom.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 220. An Act granting members of Fraternal Benefit Societies the right to designate certain beneficiaries to receive the payment of death benefits; exempting certain societies from the provisions of the Act; and amending Sections 681c-6 and 681c-29 of Carroll's Kentucky Statutes; and repealing said sections and all laws and parts of law in conflict therewith.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 152. An Act to repeal Chapter 13 of the Acts of the General Assembly of 1912, same being Sections 4398a-1, 4398a-2, 4398a-3, 4398a-4, 4398a-5, Carroll's 1922 Edition, Kentucky Statutes, relating to the inspection of school funds and authorizing the State Superintendent of Public Instruction to act as Special State Inspector and Examiner of all schools in cities, towns and counties receiving funds directly

or indirectly from the State or said cities, towns, or counties, and to amend and re-enact Section 4623, Carroll's 1922 Edition Kentucky Statutes by adding thereto the following words, to-wit: "It shall be the duty of said State Inspector once each year to inspect and examine into the fiscal management and conduct of the office of all school officials, whose duty it is to receive, handle or disburse the public school funds of the State or any city, town, county or taxing district, and to make a written report to the Governor and also to the Commonwealth Attorney and County Attorney of the county or district where such inspection is made."

Senator Williams moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 33. An Act to amend and re-enact Section 965-35, Kentucky Statutes, 1930 Carroll's Edition, as amended by Chapter 29, of 1930, Acts of the General Assembly of the Commonwealth of Kentucky, fixing time of holding court in 35th Judicial District of Kentucky, and declaring an emergency.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 154. An Act authorizing cities of the fourth and fifth classes to provide insurance or maintenance for arresting officers, who may sustain injury, in discharge of official duty, which incapacitates such officer; and support for

widows and orphans of such officers who lose their lives in discharge of official duty, and provide funds and taxes therefor, and procedure for securing same and determining amounts to be paid, and for trials, and appeals concerning same.

Senator Moss moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 94. An Act to amend and re-enact Section 1460 of the 1930 Edition of Carroll's Kentucky Statutes.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1460 of the 1930 Edition of Carroll's Kentucky Statutes be amended and re-enacted so that when done the section will read as follows:

"The county clerks of the several counties shall cause the names of all candidates of their respective jurisdictions, where nominations for any office specified in the ballot have been duly made and not withdrawn, in accordance herewith, to be printed on one ballot all nominations of any party or group of petitioners, as designated by them in their certificate or petition; or if none be designated, under some suitable title and device. If the same device for designating candidates be selected by two parties or groups of petitioners it shall be given to the one which first selected it, and the clerk shall select a suitable device for the other. The arrangement of the ballot shall in general conform, as nearly as practicable, to the plan hereinafter given, and the devices named and

lists of the candidates of the various parties shall be printed in parallel columns, in such order as the Secretary of State may direct, precedence, however, being given to the party which polled the higher number of votes for the head of the ticket in the last preceding election. The device of each party shall be placed at the head of the list of candidates of the party. The device shall not be enclosed in a square, but immediately under the device shall be placed a circle of one inch in diameter. Immediately under it shall be placed the name or title of the party ticket, and immediately under the name or title the list of candidates of the party, the name of each candidate having immediately on its right a small square large enough to contain the cross-mark by which the voter is required to designate his vote. Underneath the name of each candidate shall be left a blank space large enough to contain a written name, and the general arrangement shall conform as nearly as possible to the following:

(Insert cut contained in Carroll's Kentucky Statutes.)

Name of voter .....

Consecutive number .....

Residence .....

Party emblems in here .....

(Continuing in like manner as to all candidates to be voted for at such elections.)

Name of voter .....

Consecutive number .....

"On the back shall be printed 'official ballot,' the date of the election and facsimile of the signature of the clerk, who has caused the ballot to be printed. There shall also be printed on the back of the ballot a blank line followed by the word 'judge,' and after the ballot has been detached from the stub in the book or ballots and before the ballot is delivered to the voter to be voted one of the judges shall sign

his name on such blank line and no ballot not so signed by one of the judges shall be counted by the canvassing board whose duty it is to certify the results of the election. Should any elector desire to vote for each and every candidate of one party he shall make a cross-mark (X) in the circle under the device of said party and the vote shall be counted for all candidates under said device; provided, however, if a cross-mark (X) be made in the circle under the party device and a cross-mark (X) be also made after one or more candidates of a different party, or parties, the vote shall be counted for the candidates so marked, and not for the candidates for the same offices of the party so marked, but the vote shall be counted for the other candidates of said party."

§ 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

Senator Humphreys proposed the following amendment to said bill:

Amend Senate Bill 94 by inserting on page 2, after line 37, the following, "The secondary stub shall be on the end of the ballot opposite to that of the several party devices."

Senator Humphreys moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	J. M. Rose
W. W. Booles	Silas Jacobs	R. H. Royster
H. M. Brock	Alex E. Johnson	Dr. Lewis Ryans
Edwin C. Dawson	L. C. Littrell	E. D. Stephenson
Dr. T. J. Edge	Frank I. Lloyd	Joe Stewart
Walter N. Flippin	Wm. Mehler	Thos. O. Turner
Chas. G. Franklin	E. C. Moore	Sewell B. Williams
Perry B. Gaines	D. C. Naive	W. A. Yates
Arch Hamilton	Marion F. Pogue	Gates F. Young
J. S. W. Holloway	Dr. G. W. Ragan	
Robert Humphreys	O. M. Rogers	—31

Resolved that the title thereof be as aforesaid.

Senator Humphreys moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 175. An Act to repeal an Act relating to cities and towns, being Chapter 738 of the Acts of the General Assembly, Session 1858, approved February 17, 1858.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an Act approved February 17, 1858, being Chapter 738 of the Acts of the General Assembly of 1858, incorporating the town of New Roe, Allen County, Kentucky, be and the same is hereby repealed.

All Acts or parts of Acts in conflict herewith are hereby repealed.

This Act shall take effect and become a law by its passage and approved by the Governor.

Senator Holloway moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	Alex E. Johnson	J. M. Rose
Edwin C. Dawson	L. C. Littrell	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Fred C. VanHoose
Arch Hamilton	Ray B. Moss	F. M. White
J. S. W. Holloway	D. C. Naive	Sewell B. Williams
Robert Humphreys	Marion F. Pogue	Allie W. Young
Wm. Isaacs	Dr. G. W. Ragan	Gates F. Young

—30

Resolved that the title thereof be as aforesaid.

Senator Holloway moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 328. An Act to repeal and re-enact Section 4356r of Kentucky Statutes, Carroll's 1930 Edition, relating to county road overseers.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4356r of Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed and in lieu thereof that there be and is hereby enacted the following:

The duties of overseers shall be as follows: In counties where the roads are worked by hands, allotted as hereinbefore provided, the overseers shall have charge of the roads and bridges in their respective precincts. Said overseers shall construct bridges, work the roads in the manner directed by the fiscal court, shall summon the hands to work the roads in their precincts, superintend and direct said work, and keep the roads and bridges thereon free of obstructions and in good condition for travel, and may employ the necessary wagons, plows, scrapers, team and such additional implements as may be needed to work said roads, provided that no bridge construction nor road work, nor labor, nor teams, nor tools, which shall require the expenditure of money, shall be done or undertaken or employed by said overseers unless previous written authority, authorizing them to do so and fixing the amount they may expend for said purposes, shall first be obtained from the magistrate of the magisterial district wherein the proposed bridge construction or road work is to be done. The respective counties of the Commonwealth shall not be liable for any indebtedness or expenditures in excess of that authorized as aforesaid and shall not be liable for any indebtedness contracted or created or agreed to by any overseer when done in violation of this section.

Said overseers shall report to the nearest justice of the peace or to the county judge any failure or refusal of any of the hands on their roads to appear and do good work in obedience to their summons, and the number and length of time of such failure, and they shall also report promptly to the county judge any damage, injury or obstruction caused by anyone to said roads or bridges thereon. And when the fiscal court has provided for paying hands for working on the roads, it shall be the duty of the overseers to report to the fiscal court the number of hands and the time worked by each who have worked on the roads of their respective precincts, and to furnish to each hand a certificate of the time so worked by him.

§ 2. Whereas at present county road overseers have the unlimited authority to create indebtedness against the counties of this Commonwealth incident to road work and bridge construction, and whereas the fiscal courts of the counties of the State have no discretion in paying the indebtedness so created, and whereas the past and the present operation of the overseer system in the various counties of Kentucky has created an unwarranted amount of indebtedness against the counties of the State of Kentucky, an emergency is hereby declared to exist and this law shall become effective immediately upon its passage and approval by the Governor.

§ 3. All laws and parts of laws in conflict herewith are hereby repealed.

Senator Stephenson proposed the following amendment to said bill:

Amend Senate Bill 328 by striking from lines 16 and 17 of Section 1 the following words: "Magistrate of the magisterial district," and substitute the words, "fiscal court of the county."

Senator Edge moved that the third reading of said bill

at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	L. C. Littrell	R. H. Royster
Edwin C. Dawson	Rev. C. D. McCaw	E. D. Stephenson
Dr. T. J. Edge	Wm. Mehler	Joe Stewart
Walter N. Flippin	Ray B. Moss	Fred C. VanHoose
Perry B. Gaines	Dr. G. W. Ragan	F. M. White
Arch Hamilton	O. M. Rogers	Sewell B. Williams
Wm. Isaacs	J. M. Rose	Gates F. Young

—21

Resolved that the title thereof be as aforesaid.

Senator Edge moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 95. An Act to amend and re-enact Section 1482 of the Baldwin's 1931 Supplement to Carroll's Kentucky Statutes, and being Section 4 of Chapter 49 of the Acts of the

General Assembly of the Commonwealth of Kentucky at its 1930 session.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Section 1482 of Baldwin's 1931 Supplement to Carroll's Kentucky Statutes, and which is Section 4 of Chapter 49 of the Acts of the General Assembly of the Commonwealth of Kentucky at its 1930 session be amended and re-enacted so that when so amended it will read as follows:

"Section 4. When the hour for closing the polls shall arrive, any voter or voters, then and there present or near the polls and desiring to vote, the officers of the election shall permit such voter or voters to vote, and shall for that purpose, extend the time, not exceeding thirty minutes. After all voters have voted, and the time to close has arrived, the officers shall announce the same at the door of the voting room and close the polls. They shall then go and take charge of the ballot box, at the booth, and in the presence of each other shall place the lock on the small vent lid and securely lock it, and return the key to the county clerk. Said election officers shall then stamp upon all unused stubs and ballots, with rubber stamp or by writing on the stub and the ballot attached thereto, the word 'unused' and place said stub or ballot book and all other utensils or election material into a linen envelope, to be provided by the county clerk for that purpose, and shall seal with sealing wax across the seal of the envelope and place the county election seal upon said wax, so as to make the letters plainly visible in three different places on said envelope. The officers of election shall immediately deliver the ballot box and the envelope containing the unused ballots to the county clerk. The judge and the sheriff of election, of opposite faith, shall forthwith convey said ballot box and envelope to the county clerk's office, taking his receipt therefor. Said officers shall see that

no person other than themselves has access to, or custody of, said ballot box, and they shall each remain in the presence of the other, until said box and envelope is delivered to the county clerk.

"And any violation by them of any duty imposed upon them by this section with reference to such conveyance shall render them guilty of a misdemeanor and upon conviction thereof they shall be punished by a fine of not less than $500.00, nor more than $1,000.00 or imprisonment in the county jail for not less than sixty nor more than one hundred days, or both so fined and imprisoned within the discretion of the jury trying the case. Said officers shall also upon delivery to the county court clerk of the ballot box and the poll books, certificates and the envelope containing the spoiled, mutilated and questioned ballots and the keys to the ballot box, together with the county election seal, each make an affidavit and file it with the county court clerk stating in substance that neither they nor anyone else took from the ballot box while in their custody any ballot or put into it any ballot, or in any manner whatever tampered with the contents of the ballot box and that it and its contents as well as all of the articles delivered by them to the county court clerk were and are in the same identical condition as when taken charge of by them at the closing of the polls, and for any false statement made in such affidavit the one so making it shall be subject to indictment and prosecution for false swearing and punished accordingly.

"The ballot box shall remain locked, from the time it leaves the county clerk's office and is returned to said office, and until the county election commissioners shall unlock the same for the purpose of counting the ballots as herein provided.

"The county court clerk, upon receiving said ballot box and envelope from the election officers shall receipt for the same and shall place said ballot box and envelopes in a secure and substantial place and shall keep a sufficient guard

over said boxes and evelopes in a careful and painstaking manner until all the ballots have been counted by the election commissioners and those acting with them. Provided, that the chairman of each of the two dominant political parties, shall have the right, and each candidate to be voted for, at any election, may designate one or more persons to assist the county clerk and other guards, to guard the safety of the ballots in said clerk's office. The county clerk shall assist the county election commission, and shall act as its clerk, in the counting and certifying of the ballots and the results of said election, for which he shall receive compensation to be allowed by the fiscal court.

"The county election commission, for the purpose of counting the ballots and issuing certificates and making reports, shall meet on the first week-day after any primary or general election at 10 o'clock on said day in the office of the county clerk, and proceed as speedily as practical, to count the ballots of every precinct in such county and at the finish of each and every precinct they shall announce the result at the door of the clerk's office and they shall fill out the blank in the back of the stub book provided for that purpose and each commissioner shall sign the same on a blank provided for that purpose.

"The election commission is authorized to employ, at county expense, such clerical help as said commission may deem necessary to make said count, and shall remain continuously in session, until each and every precinct has been counted and the result ascertained, Sundays and legal holidays excepted. There shall be provided by the county clerk a large sheet upon which to tabulate the vote of the whole county, district or municipality, so that each candidate can ascertain the number of votes in each precinct and the total number in the election unit, cast for him. If any ballots are found mutilated, defaced, marked or spoiled or otherwise questionable so that they are of doubtful integrity, the commission shall put all such ballots in a sealed envelope after writing on them and each of them, whether they have been counted, and for whom.

"In any general or primary election held in this State or any county, district or municipality, the same procedure shall prevail and the county election commission shall count and certify the result in the manner herein provided.

"The said election commission shall issue to successful candidates for office or nominations, their certificates of election or nominations in all county, magisterial districts or any subdivision of any county and shall certify the result of the election in their said county, the Secretary of State in all elections or nominations, to be made for State and district officers and nominations.

"In all general elections the governing authority of each political party, and to all primary elections, each group of candidates for an office, may designate to the county election commission, one representative each to meet with the county election commission, as herein provided, and it shall be the duty of said commission to permit said representative to assist in, and witness the count of the ballot in all the precincts of such county and each and all of said commissioners and said representatives, so designated, shall have equal and full opportunity to inspect and count said ballots, and it shall be unlawful for any county election commission or a majority thereof, to refuse to permit said representatives to exercise full and free action in witnessing the count of said ballots and any interference with, or refusal, on the part of said election commission, or either of them, to permit said representatives, either of a political party, or of a candidate, or group of candidates, to have a free and full opportunity to witness and observe the counting of said ballots, shall be guilty of a high misdemeanor, and upon conviction thereof shall be fined not less than one thousand dollars nor more than two thousand dollars or imprisoned in the county jail not less than six months nor more than twelve months in the discretion of the jury.

"The county election commission after fifteen days, provided no contest is filed in any race against any candidate,

shall return the keys to said ballot boxes to the county clerk, but if any such contest, either of nominations or elections, has been filed, said commissioners shall hold said keys subject to the orders of the court trying such contest.

"This Act shall govern both the conducting, holding, counting of ballots, and certifying of returns, in general and primary elections.

"Nothing herein contained shall be construed to prevent the election commissioners in counties having cities of the first, second and third class from employing extra tabulators, who under their supervision and responsibility may expedite the counting of the ballots."

§ 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

Senator Humphreys proposed the following amendment to said bill:

Amend Senate Bill 95 by striking out lines 6, 7, 8, 9 and 10, and inserting the following: "When the hour of four P. M. has arrived," immediately before the words, "The officers shall announce the same at the door of the voting room and close the polls." Making this part of the section read, "When the hour of four P. M. has arrived, the officers shall announce the same at the door of the voting room and close the polls."

Senator Humphreys moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Stephenson proposed the following amendment to said bill:

Amend Senate Bill No. 95 by adding at the end of the words "ballot box" in lines 23 and 25 of section 4 of the printed bill the following words, "stub book."

Senator Stephenson moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Humphreys moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Arch Hamilton	Wm. Mehler
W. W. Booles	J. S. W. Holloway	E. C. Moore
H. M. Brock	Robert Humphreys	Ray B. Moss
Edwin C. Dawson	Wm. Isaacs	D. C. Naive
Dr. T. J. Edge	Silas Jacobs	Marion F. Pogue
Walter N. Flippin	Alex E. Johnson	Dr. G. W. Ragan
Chas. G. Franklin	L. C. Littrell	O. M. Rogers
Perry B. Gaines	Frank I. Lloyd	R. H. Royster

E. D. Stephenson	Sewell B. Williams	Allie W. Young
Thos. O. Turner	W. A. Yates	Gates F. Young
F. M. White		—31

Resolved that the title thereof be as aforesaid.

Senator Humphreys moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senator Ryans moved that the Senate do now adjourn.

Said motion was agreed to.

TUESDAY, FEBRUARY 16, 1932

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by Rev. Dr. Wise of the Frankfort Presbyterian Church.

The roll of the Senate was called and the following Senators answered to their names.

Jas. H. Bondurant	Silas Jacobs	J. M. Rose
W. W. Booles	Alex E. Johnson	R. H. Royster
H. M. Brock	L. C. Littrell	Dr. Lewis Ryans
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Joe Stewart
Walter N. Flippin	Wm. Mehler	Thos. O. Turner
Chas. G. Franklin	E. C. Moore	Fred C. VanHoose
Perry B. Gaines	Ray B. Moss	F. M. White
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young
Wm. Isaacs	O. M. Rogers	—35

Senator Gates F. Young moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Lloyd moved that the privileges of the floor be extended to Mr. and Mrs. W. J. Brown and Mr. and Mrs. A. Georgge.

Said motion was agreed to.

Senator Pogue moved that the privileges of the floor be extended to Judge H. F. Green and Mr. Droffen.

Said motion was agreed to.

Senator Moss moved that the privileges of the floor be extended to Messrs. Edward Asher and H. H. Asher.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Mr. Yates of Vine Grove.

Said motion was agreed to.

Senator Edge moved that the privileges of the floor be extended to Judge Dowell and Rollie Riley.

Said motion was agreed to.

Senator Turner moved that the privileges of the floor be extended to Hon. J. Frank Lodd and Mr. H. P. Atwood of Cadiz, also Mr. Gresham of Princeton.

Said motion was agreed to.

Senator Booles moved that the privileges of the floor be extended to Mr. Greenwell and Mr. Cook of Spencer County.

Said motion was agreed to.

Senator Humphreys moved that the privileges of the floor be extended to Messrs. Geo. Covington, E. V. Edwards and Jim Graham.

Said motion was agreed to.

Senator Stewart moved that the privileges of the floor be extended to Messrs. J. C. Hutcherson, F. D. Jordan, E. L. Myers, and E. L. Kerley of Glasgow, Miss May Wilson of Pineville and Mr. H. H. Hansborough of Horse Cave.

Said motion was agreed to.

Senator Rose moved that the privileges of the floor be extended to Miss Anna Bertram of Vanceburg.

Said motion was agreed to.

Senator Flippin moved that the privileges of the floor be extended to Prof. V. D. Roberts of Somerset.

Said motion was agreed to.

Senator Gates F. Young moved that the privileges of the floor be extended to Mr. S. T. Burns, W. C. Haycraft, Lee Gibson, Esq. W. G. Riney of Owensboro, John Priest of Calhoun and R. E. Rodgers of Owensboro.

Said motion was agreed to.

Bills of the following titles were introduced, referred and ordered printed, as follows, viz.:

By Senator Moss.

S. B. 375. An Act to amend Section 1, Project No. 373, Chapter 315, page 675 of the Acts of the General Assembly of 1928, now Project No. 373, under Section 4356t-5, page 2253,

Road Projects, of Carroll's Kentucky Statutes, 1930 Edition, relating to establishing and designing a system of State Highways and providing for their construction and maintenance.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1, Project No. 373, Chapter 315, page 675, Acts of General Assembly of 1928, now Project No. 373 under Road Projects (Section 4356t-5) of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby amended by adding thereto the words: "via, Old Whitley Road, Piney Woods, and Keavy to the Laurel County Line", so that said Project No. 373 will read as follows when amended:

Section 1. Project No. 373. That the road leading from a point in the U. S. Highway No. 25 at or near London, the county seat of Laurel County, Kentucky, to Cumberland Falls in Whitley County, a distance of approximately 38 miles, via, Old Whitley Road, Piney Woods and Keavy to the Laurel County line, be and the same is hereby established and designated as a part of the Primary System of State Highways of the Commonwealth of Kentucky to be known as Project No. 373.

By Senator Moore.

S. B. 376. An Act to repeal Chapter 150 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1930, approved by the Governor March 15, 1930, relating to the transfer of tax claims.

To Committee on Revenue and Taxation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 150 of the Acts of the General Assembly of the Commonwealth of Kentucky approved by the Governor March 15, 1930, relating to transfer of tax claims and providing remedies for the enforcement of said tax claims, be, and the same is hereby repealed.

By Senator Stephenson.

S. B. 377. An Act to amend and re-enact Section 356, Carroll's Kentucky Statutes, 1930 Edition, relating to fees of jailers paid out of the State Treasury.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 356, Carroll's Kentucky Statutes, 1930 edition, be and the same hereby is amended and as amended and re-enacted shall read as follows:

To jailers for imprisoning and releasing a prisoner charged with a felony or contempt the sum of fifty (50c) cents.

For keeping and dieting a prisoner under like charge the sum of fifty (50c) cents per day.

For putting a prisoner in irons, to secure his same keeping in jail, besides the cost of the irons, the sum of fifty (50c) cents.

All of the foregoing fees to be paid to the jailer out of the State treasury.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

By Senator Stephenson.

S. B. 378. An Act relating to revenue and taxation and providing for the assessment and equalizing of real and personal property; prescribing the duties of the county Tax Commissioners and the State Tax Commission relationg thereto: Fixing and providing for the compensation and payment of the County Tax Commissioners, and amending Section 4052, 4042a-8, 4076a-2, 4120, 4121, Carroll's Kentucky Statutes, 1930 Edition, and repealing Section 4121-1 and 4070, Carroll's Kentucky Statutes, 1930 Edition.

To Committee on Revenue and Taxation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4052, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted and as amended and re-enacted shall read as follows:

(1) All taxable estate shall be assessed and valued as of the first day of July in each year, except as provided in this Act, and the person owning or possessing same on that day shall list it with the County Tax Commissioner, and remain bound for the tax, except as provided in Section 4023, Kentucky Statutes, notwithstanding he may have sold or parted with the same. All real estate subject to taxation, except that required by law to be assessed by the State Tax Commission, shall be listed for taxation as of the first day of July, 1933, and shall be listed for taxation as of the first day of July every four years thereafter, except such real estate as is required by this Act to be reassessed as of the first of July between said four year assessing period. All personal property required by law to be assessed by the County Tax Commissioner shall be listed and assessed each year as of the first day of July. The assessment made of real estate as of July 1st, 1933, for a period of four years and

of the same date each four (4) years thereafter, shall be the assessment as of July 1st for the succeeding three years after each of said four (4) years assessment for the purpose of county and State taxation, except as provided in this Act.

(2) Whenever the owner shall erect or suffer to be erected any building or improvement, other than ordinary repairs, on real estate owned by him costing more than five hundred ($500.00) dollars, he shall, within fifteen (15) days after the first day of July following, give to the County Tax Commissioner of the county in which such real estate is located written notice of the erection of any buildings or improvements on said real estate. Such notice shall show the value of such building or improvement, or such part thereof as may have been completed prior to the first day of July of said year, the character of the building or improvement, the location thereof, and such a description of the real estate as will enable the County Tax Commissioner to identify the property on the tax books. If any owner of real estate shall fail to so notify the County Tax Commissioner of the erection of new buildings or improvements upon his real estate, he shall, in addition to the tax thereon, be subject to a penalty of twenty (20) per cent of the amount of such tax to be added to and become a part of said tax when collected, and if collected through court procedure as provided by Section 4263 of Kentucky Statutes, he shall be subject to an additional penalty of twenty (20) per cent as provided in the case of omitted assessments under said section. The County Tax Commissioner upon receipt of notice as provided for herein, or if his attention is otherwise called to the fact that buildings or improvements have been placed upon any real estate, it shall be his duty as County Tax Commissioner to assess and re-value such real estate so as to include the value of such buildings and improvements erected thereon.

(3) Whenever the owner of any real estate shall suffer a substantial loss in the value thereof on account of destruction of buildings or improvements thereon, or by the removal therefrom of other products, he may notify the County Tax Commissioner in writing of such loss in value by reason of the

destruction of buildings or the removal therefrom of other products and the County Tax Commissioner shall thereupon re-value such property for purposes of assessment as of the first day of July next following such loss or removal of products therefrom.

It shall be the duty of the County Tax Commissioner to lay off around each mine being operated an acreage sufficient to cover the acreage of minerals that may reasonably be expected to be mined and removed during the four year period next ensuing from the date real estate is assessed as provided in this Act and to assess said acreage of minerals each year as of July 1st so that the depletion caused by the mining of minerals can be determined each year.

(4) If any real estate shall materially enhance in value by reason of the erection of buildings or improvements thereon, other than ordinary repairs, or by reason of the development of coal or minerals therein, the County Tax Commissioner shall have the right and it shall be his duty to notify the owner of said property to appear for the purpose of revaluing the said property and the County Tax Commissioner shall re-value and assess said property at its enhanced value as of July 1st next following such enhancement of the value of said property.

(5) Whenever property shall have been subdivided into lots and any of said lots have been sold by the owner in whose name the same stands assessed, the County Tax Commissioner shall, as of the 1st of July next following re-assess all of said property so subdivided.

(6) The State Tax Commission shall in its discretion have the power and authority to direct the County Tax Commissioner to re-value and re-assess any real estate in any year in its discretion other than the year in which real estate is assessed for a four year period.

(7) When the Board of Supervisors has completed its work and the Clerk has transferred the work of the Board of

Supervisors to the Tax Books, he shall immediate prepare and forward to the State Tax Commission a complete statement of all real estate which has been re-valued and assessed anew since the previous years assessment, and the valuation which has been added to or taken from the previous years assessment of each class of real estate, and a statement showing all omitted assessments and exonerations.

§ 2. That Section 4042a-8, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby amended and re-enacted and as amended and re-enacted shall read as follows:

(1) The cost of assessing property shall be borne by the State and counties as follows: Upon all property subject to both State and county taxation the compensation of the County Tax Commissioner shall be paid, one-half by the State and one-half by the county. Upon property subject to State tax only the compensation of the County Tax Commissioner shall be paid by the State on all such property so assessed.

(2) When the County Tax Commissioner has completed his assessment and has returned his Tax Books to the County Court Clerk and the accuracy of the extensions and additions has been tested by the Clerk as provided by law and a recapitulation of the assessment has been forwarded to the State Tax Commission, he shall present to the State Tax Commission a properly verified claim in duplicate, showing the total assessed value of property listed by him as shown by his tax books, the amount of such property and the class thereof subject to State tax only, and the amount of compensation due thereon, and the amount of said property assessed subject to State and county taxation. If such claim is found to be correct the State Tax Commission shall approve and certify the State's part thereof to the Auditor of Public Accounts who shall draw his warrant upon the Treasurer in payment of fifty per cent of the amount due upon said assessment from the State. The State Tax Commission shall certify to the County Court fifty (50%) per cent of the amount due the County Tax Commissioner by the county on such assessment and the same

shall be allowed to the County Tax Commissioner by the fiscal court of the county.

When the County Board of Supervisors has completed its work and the County Clerk has extended the corrections and alterations as made by the County Board of Supervisors to the tax books and the same has been forwarded to the State Tax Commission as a recapitulation of the tax books as equalized and corrected by said County Board of Supervisors, the County Tax Commissioner shall present to the State Tax Commission a properly verified claim in duplicate showing the total amount of property as assessed and equalized, the amount thereof subject to State tax only and the balance due from the State and the amount thereof subject to county and State taxation, and the amount due from the State and the county for making the said assessments. The State Tax Commission shall carefully examine and scrutinize such claim of the Tax Commissioner and also the recapitulation of the assessment, and if the same is found to be correct it shall certify the balance due on said claim from the State to the Auditor of Public Accounts who shall draw his warrant in favor of the County Tax Commissioner upon the State Treasurer for the amount certified to be due the County Tax Commissioner from the State. The State Tax Commission shall certify the balance due the County Tax Commissioner to the county Court of county and the said sum so certified to the County Court as being the balance due the County Tax Commissioner by the County for making said assessment shall be allowed by the fiscal court of the county to the County Tax Commissioner.

If the State Tax Commission shall find such claim of the County Tax Commissioner to be erroneous or incorrect in any particular it shall have the right and the power to correct said claim and shall certify for claimant only so much of the claim as is found to be the balance due the County Tax Commissioner.

(4) The compensation of the County Tax Commissioner, including the pay of his assistants and the expenses of his office, shall be based upon the total value of the assessment

made by him as finally equalized by the County Board of Supervisors, and shall be computed as follows: Five (.05) cents on each one hundred ($100.00) dollars of the first Million ($1,000,000.00) dollars; one and one-half (.01½) cents on each One hundred ($100.00) dollars on the excess over One Million ($1,000,000.00) dollars to and including Fifty Million ($50,000,000.00) dollars; and one-half of one (1%) per cent on the excess over Fifty Million ($50,000,000.00) dollars.

Provided that the compensation of the County Tax Commissioner exclusive of the compensation of his deputies and assistants, shall not exceed Four Thousand ($4,000.00) dollars in any county; and, provided, further that in any county where the assessment does not exceed One Million ($1,000,000.00) dollars the County Tax Commissioner shall be paid at the rate of Six (.06) cents on each One Hundred ($100.00) dollars of the assessed valuation.

(5) In counties where poll tax is imposed the County Tax Commissioner shall be allowed Five (.05) cents for listing each poll, to be paid out of the county levy on claims submitted to the fiscal court separately from that for assessment of property.

(6) The total sum allowed to any County Tax Commissioner and his deputies, assistants, and including the expenses of his office, shall not exceed Ten Thousand ($10,000.00) dollars per year in any county, except in a county having a city of the first class, and in such county the total sum allowed to the County Tax Commissioner, including his deputies, assistants and the expenses of his office, shall not exceed the sum of Thirty-five thousand ($35,000.00) dollars in any year. Provided, however, in counties containing a city of the second class on the first of April and the first of each calendar month thereafter to and including December 1st of each year, the Auditor of Public Accounts shall draw his warrant upon the Treasurer in favor of the County Tax Commissioner of such county for the sum of One Hundred and Fifty ($150.00) dollars, and the fiscal court of such county shall allow the County

Tax Commissioner the sum of One Hundred and Fifty ($150.00) dollars for each of said months, said payments by the State and county to the County Tax Commissioner being an advancement to the County Tax Commissioner and partial payment upon the compensation due him on assessments for that year. Said sums so paid to the County Tax Commissioner shall be deducted from the total compensation of the County Tax Commissioner allowed by law when the yearly settlements are made. And provided, further, that in counties containing a city of the first class, the County Tax Commissioner shall be entitled to receive an advancement of Two Thousand ($2,000.00) dollars per month as partial payment upon the salaries of himself and his deputies and assistants, to be paid on the first of each calendar month of the year in years when real estate is assessed as a whole by the State and the county, as follows: The Auditor of Public Accounts shall on the first of each calendar month draw his warrant on the Treasurer in favor of such County Tax Commissioner for the sum of Nine Hundred ($900.00) dollars and the fiscal court of the county shall allow such County Tax Commissioner the sum of Six Hundred ($600.00) dollars per month payable on the first day of each calendar month in years when real estate is not assessed as a whole. The sums of such advancements shall be deducted from the total amount found to be due such Tax Commissioner when yearly settlements are made. Should the Tax Commissioner in any county receiving such advancements as provided in this sub-section die, resign or be removed from office, or should the office of County Tax Commissioner in such county for any cause become vacant, the sums advanced to any such Tax Commissioner shall be deducted from the total sum due for making assessment.

§ 3. That Section 4076a-2, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted and as amended and re-enacted shall read as follows:

For performing the services required in Section 4076a-1, Kentucky Statutes, the County Court Clerk shall be paid the sum of Five (.05) cents per line across the page of the tax

book, one-half of said sum to be paid by the State, and the other one-half to be paid by the county.

§ 4. That Section 4072, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is repealed.

§ 5. That sub-section 10 of Section 4114i-12, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted and as amended and re-enacted shall read as follows:

It shall be the duty of the State Tax Commissioner to arrange for a conference of the county tax commissioners once in each four years, the time of such meeting to be fixed in the discretion of the State Tax Commission, said meeting shall be held in Frankfort and shall be for the purpose of giving systematic instructions in finding, and for the fair and just valuation and assessment of every kind of property subject to taxation under this Act, and as to their practical duty in every step in connection therewith. Said conference shall continue not more than five days. It shall be the duty of such officer to attend and take part in such conference, unless prevented by illness, or by other reason satisfactory to the State Tax Commission. Any such officer wilfully failing to attend said conference may be moved from office by the circuit court of the county wherein he was elected. One-half of the actual and necessary expenses of such officer in attending said conference shall be paid by the State upon a certification to the auditor by the State Tax Commission, and one-half of the actual and necessary expenses of such officer attending such conference shall be paid by the county from which such officer attends. Each of such officers shall make out an itemized statement showing his actual and necessary expenses, and the same shall be approved by the State Tax Commission before payment.

Provided that the State Tax Commission may in any year in its discretion require any county tax commissioner or any group of county tax commissioners to appear at the offices of the State Tax Commission in Frankfort for special instruc-

tion, the expenses thereof to be borne as hereinbefore provided.

§ 6. The compensation of the County Tax Commissioner in years real estate is not assessed as a whole shall be computed upon the total assessed value of all property assessed in the county as of July 1st of said years, based on the percentage for compensation as provided in Section 2 of this Act. This assessed value for said years shall include the assessed value of all personal property, and such real estate as may have been re-valued and re-assessed as of July 1st of said years as provided for in this Act. The said assessed value of property on which the County Tax Commissioner is entitled to compensation as provided for in this section shall not be construed to include or cover the assessed value of real estate as shown by the tax books and which is not re-valued and re-assessed for that year. In addition to the compensation provided for in this section for the years in which real estate is not assessed as a whole the County Tax Commissioner shall be allowed .... per cent of the amount of his total claim for assessments as an additional compensation for each of the years when real estate is not assessed as a whole.

§ 7. That Section 4120, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted and as amended and re-enacted shall read as follows:

The Board of Supervisors shall make a careful examination of the assessor's books and each individual list thereof, and may increase or decrease any list; but the Board shall not reduce or raise any assessment unless the evidence be clear and unmistakable that the valuation is not a fair cash value, and shall list all property omitted by the assessor which may be subject to taxation in the county, and shall correct any errors of the assessor; and in cases where the property has not been correctly valued they shall fix the value thereof and correct the assessor's books so as to show the true value of the property, as herein provided; but should any property escape assessment by the assessors or supervisors in whole

or in part, it may be assessed as provided in Section 4241 of article fifteen.

Provided, however, the Board of Supervisors shall have the power and authority to equalize all the assessments of real estate, but in years in which real estate is not assessed as a whole, they shall only have the power and authority to equalize assessments of real estate where such real estate has been re-valued and re-assessed under the provisions of this Act. This provision shall not be construed to affect the power and authority of the Board of Supervisors to equalize assessments of personal property each year.

§ 8. That Section 4142, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted and as amended and re-enacted shall read as follows:

The Board of Supervisors shall continue in session at its first meeting in years when all real estate is assessed, not less than two nor more than twelve days in counties not containing a city of the first, second, third, fourth, or fifth class; in counties having therein a city of the first class the board may remain in session thirty days; in counties having therein a city of the second class the board may remain in session twenty-four days; in counties having therein cities of the third, fourth, and fifth class the board may remain in session twenty days. The Board of Supervisors shall continue in session in years in which re-assessment of real estate is made, together with personal property, at its first meeting in each of said years, not less than two nor more than eight days in counties not having therein a city of the first, second, third, fourth or fifth class; in counties having therein a city of the first class the board may remain in session twenty-five days; in counties having therein a city of the second class the board may remain in session twenty days; in counties having therein a city of the third, fourth, and fifth class, the board may remain in session sixteen days. The clerk of the county court shall act as clerk of the Board of Supervisors. He shall be allowed the same compensation for his services as a member

of the board, and be paid in the same way. It shall be the duty of the said clerk to prepare and deliver to the sheriff a list of the names of all persons whose property has been raised by the board of supervisors and the amount thereof.

§ 9. That Section 4121-1, Carroll's Kentucky Statutes, 1930 Edition, be and said Section hereby is repealed.

§ 10. This Act shall not become effective until the first Monday in January, 1934, however, the assessments made by the present County Tax Commissioners as of July 1st, 1933, of real estate shall be the assessment of real estate for the ensuing three years, except where said real estate is re-valued and re-assessed under the provisions of this Act.

§ 11. All laws and part sof laws, acts and parts of acts, in conflict herewith are hereby repealed.

By Senator Holloway.

S. B. 379. An Act making it the duty of the County Superintendent of Schools to visit the schools of the County twice during each school year and make a report of the condition of the schools to the State Superintendent of Public Instruction, and providing penalty for a violation thereof.

To Committee on Education.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be the duty of the County Superintendent of Schools in each county in this Commonwealth to visit each school in the county at least twice each school year and make a personal investigation of the condition of the school buildings, seats, libraries, maps and other school supplies, condition of the toilets, water supply and school grounds, and make a report of the conditions found in each school in the county

to the State Superintendent of Public Instruction, together with any other information that may be requested by the State Superintendent, on forms to be furnished by the State Department of Education for that purpose, and to keep copy of same report as a permanent public record in his office.

Any County Superintendent violating this Act shall be deemed guilty of a misdemeanor and on conviction fined not less than $100.00 nor more than $500.00, in the discretion of the jury.

§ 2. All acts or parts of Acts in conflict herewith are hereby repealed.

By Senator Gaines:

S. B. 380. An Act repealing, amending and re-enacting Section 3587a-19, Carroll's Kentucky Statutes, 1930 Edition, relating to taxation in school districts, embracing cities of the fourth class.

To Committee on Education.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3587a-19, Kentucky Statutes, be repealed, amended and re-enacted so that when re-enacted, it shall read as follows:

Before making any tax levy it shall be the duty of said board of education to make a careful estimate of the amount of money necessary to be raised (over and above the amount due or to become due it from the State as provided in section 21 of the act to which this is an amendment) for purposes as follows:

(a) For maintaining the schools;

(b) For repair and improvement of buildings;

(c) For sinking fund purposes:

(d) For paying incidental expenses and any other lawful claims against the school district.

Said estimates shall be entered in full upon the minute book of the board. The failure to make such estimate, however, shall not invalidate the levy.

At least thirty days prior to the time prescribed in the charter of cities of the fourth class for the tax levy to be made for city purposes, it shall be the duty of said board of education in districts where the boundaries thereof is identical with the boundary of a city of the fourth class, to levy an ad valorem tax for school purposes upon all property of every kind in the city assessed or subject to taxation for city purposes. Said tax shall be at such rate as will produce in that year the sum estimated by the board of education as necessary to be raised for the aforesaid purposes. The board shall also levy a poll tax on each person assessed for poll tax by said city, but the ad valorem taxes for all school purposes exclusive of sinking fund shall not exceed $1.50 on each $100.00 of assessed value and the poll tax shall not exceed $2.00 for each poll. The assessment made for the city shall also be the assessment for the school district. Said levy shall be certified by the board of education to the general council or board of commissioners of the city and said general council or board of commissioners shall cause the taxes accruing thereunder to be added to and included in the regular tax bills rendered by the city for city purposes and shall cause said tax to be collected by the same officers and in the same manner and at the same time as taxes are collected for city purposes.

At least thirty days prior to the time when the fiscal court of the county is required to make its levy for county purposes, it shall be the duty of the board of education in districts where the boundary includes a city of the fourth class, together with

other territory, to levy an ad valorem tax for school purposes upon all property of every kind in the district assessed for county purposes. Said tax shall be at such rate as shall produce in that year the sum estimated by the board of education as necessary to be raised for school purposes in the district. The board shall also levy a poll tax on each person assessed for poll tax by the county within the district, but the ad valorem tax (for all school purposes exclusive of sinking fund) shall not exceed $1.50 on each $100.00 of assessed value and the poll tax shall not exceed $2.00 for each poll. The assessment made for the county shall be the assessment for each school district. Said levy shall be certified by the board of education to the fiscal court of the county and said fiscal court shall require the county clerk to make out the tax bills for the ad valorem and poll taxes accruing thereunder in the stub book to be devised and furnished by said board of education for that purpose, and said clerk shall sign and turn them over to the tax collector, selected and designated by the city board of education, for collection, taking the receipt therefor in duplicate, showing the number of bills so delivered to such collector and the aggregate amount thereof. One copy of said receipt shall be retained by said county court clerk and one copy certified to the board of education. Said board of education shall then cause the same to be collected by the tax collector, selected and designated by the city board of education.

All powers and duties conferred upon and required of officers in collecting taxes for city purposes and for county purposes are hereby conferred upon and required of the tax collector of the board of education in collecting taxes levied by such board. The board of education shall pay the collector for collecting the taxes a reasonable compensation not exceeding one and one-half per cent on the amount collected.

The officer collecting the school tax and the sureties upon his bond, which must be approved by the board of education shall severally be liable under his official bond, or bonds, for any failure in the performance of his duties. Within ten days

after the close of each calendar month, the collecting officer of the board of education shall promptly pay over to the treasurer of the board of education all sums collected by him during the preceding month, less his commissions, and upon failure to do so, the board of education shall have the right to institute suit against him and his bondsmen upon his official bond for all sums collected and unpaid by him.

The limitation hereinbefore prescribed upon the rate of tax that may be levied for school purposes shall not apply where a bonded indebtedness has been incurred for public school purposes and when such indebtedness has been incurred there may be levied in addition to tax heretofore authorized an ad valorem tax sufficient to pay interest on said indebtedness and also to constitute a sinking fund for the payment of the principal thereof. The provisions hereof shall apply to any bonded indebtedness whether heretofore or hereafter created.

The failure of the board of education by inadvertance or otherwise to make a levy within the time prescribed shall not invalidate any levy made thereafter.

By Senator Ryans.

S. B. 381. An Act to repeal, amend and re-enact Section 1077b-1, of Carroll's Kentucky Statutes, Baldwin's 1930 Revision, being Chapter 42, page 155 of an Act of March 27, 1926, relating to the appointment of a Trial Commissioner in the County Courts of Counties of this Commonwealth wherein is located a city of the first class, defining his duties and fixing his qualifications, term of office and salary.

To Committee on Municipalities.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1077b-1 of Carroll's Kentucky Statutes,

Baldwin's 1930 Revision be, and it is, hereby repealed, amended and re-enacted so that said section when amended and re-enacted shall read as follows:

"Section 1077b-1. The Judge of the County Court, in each county of this Commonwealth wherein is located a city of the first class is hereby authorized to appoint two trial commissioners who shall hold office at the pleasure of the Judge, and shall discharge such duties in the county and quarterly courts of said counties as may be assigned to them by the judge of said courts.

Said commissioners each shall report his respective findings and recommendations in any matters referred to such commissioner to the judge of the court referring the matter, and upon the approval or disapproval of said judge the order of the judge shall become the action, order or judgment of said court in which the matter is pending.

Each of said commissioners must possess the qualifications of a judge of the county court, and each shall receive a salary to be fixed by the fiscal court of the county, not exceeding thirty-six hundred dollars ($3,600.00) per annum, which salaries shall be paid in the same way as the county judge is paid."

By Senator Pogue.

S. B. 382. An Act regulating the planting of trees, shrubs, or other growths within the State Highways, designating care and control, providing penalty for injuring and destroying same, designating certain money for nursery highway fund and naming who shall receive said trees.

To Committee on Agriculture and State Fair.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Towns, clubs, or other recognized organizations

may appropriate money to be expended by them in cooperation with the State Highway Commission and the State Forest Service in planting trees, shrubs, or other suitable growths within the State Highways, for the purpose of improving, protecting, shading, or ornamenting the same.

§ 2 So that the best harmonious results may be attained and the livelihood of any plantings be safeguarded, no planting of trees, shrubs, or other growths shall be made along the State Highways until a planting plan designating the species or types of trees, shrubs, or other growths to be planted and the location which is to be planted shall be offered to the State Forest Department for their inspection. If said planting plan is found suitable as to species or kinds of trees, shrubs, or growths, to be planted, such plan may be carried out if the permission of the State Highway Commission has been secured as to the planting location.

§ 3. The Highway Commission and the Forest Service shall have the care and control of all trees, shrubs, or growths within the State highways and may trim, cut or remove, such trees, shrubs, or growths, or license the trimming, cutting, or removal thereof. No such tree, shrub, or other growth shall be trimmed, cut or removed by any person other than an agent or employee of the Highway Commission or Forest Service or by one licensed by both Highway Commission and Forest Service agreeing.

§ 4. Whoever wantonly, wilfully, or without authority, trims, cuts down, or removes a tree, shrub, or growth, within a State highway, or maliciously injures, defaces, or destroys any such tree, shrub, or growth shall upon conviction thereof in a summary proceeding before any magistrate, alderman, or justice of the peace, be sentenced to pay a fine not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) or imprisoned not less than twenty-five days nor more than six months or both so fined and imprisoned, in the discretion of the court.

By Senator Pogue.

S. B. 383. An Act to amend and re-enact Chapter 185, page 526 of the Acts of the General Assembly of 1924, now Kentucky State Road Project No. 80, by adding the word "Haddock's Ferry" just before the word Calvert City in Said Original Act, so that when same is amended and re-enacted it will read as follows:

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 185 of the Acts of the General Assembly of Kentucky of 1924, be amended by adding thereto and inserting just after the last named project on page 92 thereof the following:

Project No. 80, from Smithland to Murray, via Haddock's Ferry, Calvert City and Benton, and said road shall receive and be entitled to all the benefits allowed and provided for in said Chapter 17 of said Acts of 1920.

By Senator Holloway.

S. B. 384. An Act to amend and re-enact Section one thousand and ninety three of the Kentucky Statutes, Carroll's nineteen hundred and thirty Edition, being an act defining and prescribing the jurisdiction of justices and quarterly courts and the judges of police courts in cities of the first, second, third, fourth, fifth and six class in this Commonwealth in penal and misdemeanor cases.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section one thousand and ninety-three of the Kentucky Statutes (Carroll's nineteen hundred and thirty edition) be repealed and re-enacted so that same, when thus re-enacted shall read as follows:

That justices and quarterly courts and the judges thereof, and police courts in cities of the first, second, third, fourth, fifth and sixth class of this Commonwealth and the judges thereof, shall have jurisdiction exclusive of Circuit Courts in all penal and misdemeanor cases, the punishment of which is limited to a fine of not exceeding twenty dollars, and jurisdiction concurrent with Circuit Courts of all penal cases and misdemeanor cases, the punishment of which is limited to a fine of not exceeding five hundred dollars, or imprisonment not exceeding twelve months, or both; but said courts shall also have and exercise the same jurisdiction in the enforcement of city ordinances that is now given to them by law.

On account of the fact that a great expense is now placed upon the counties of this Commonwealth by reason of the fact of many persons charged with petit larceny and other offenses, of which the lower courts did not have jurisdiction before this act, being confined in jail awaiting the action of grand juries, which in many counties do not meet for several months, an emergency is hereby declared to exist, and this act shall become effective immediately on its passage and approval by the Governor.

All acts or parts of acts inconsistent herewith are hereby repealed.

By Senator Brock.

S. B. 385. An Act dividing the State of Kentucky into thirty-eight (38) Senatorial Districts.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the State of Kentucky is hereby divided into thirty-eight (38) Senatorial Districts composed of the following counties and the following population, to-wit:

District 1. To be composed of the counties of Graves, Fulton, Hickman, Carlisle and Ballard, having a population of 71,703.

District 2. To be composed of the counties of McCracken, Crittenden, and Livingston, having a population of 66,810.

District 3. To be composed of the counties of Marshall, Calloway, Lyon, Trigg, and Caldwell, having a population of 65,393.

District 4. To be composed of the counties of Union, Henderson, and Webster, having a population of 63,882.

District 5. To be composed of the counties of Christian and Hopkins, having a population of 71,732.

District 6. To be composed of the counties of Daviess, McLean and Hancock, having a population of 60,998.

District 7. To be composed of the counties of Ohio, Muhlenberg, and Butler, having a population of 74,978.

District 8. To be composed of the counties of Barren, Simpson, Allen, and Metcalfe, having a population of 61,669.

District 9. To be composed of the counties of Todd, Warren and Logan, having a population of 69,071.

District 10. To be composed of the counties of Meade, Breckinridge, Grayson, Edmonson, and Hart, having a population of 70,109.

District 11. To be composed of the counties of Bullitt, Hardin, Larue, Marion, and Nelson, having a population of 70,924.

District 12. To be composed of the eleventh and twelfth wards of the city of Louisville, having a population of .....

District 13. To be composed of Jefferson County, outside of the City of Louisville and the first ward of said city, having a population of .....

District 14. To be composed of second, third, fourth, and fifth wards of the City of Louisville, having a population of .....

District 15. To be composed of the sixth, seventh, eighth, ninth, and tenth wards of the City of Louisville, having a population of .....

District 16. To be composed of the counties of Taylor, Green, Adair, Russell, Cumberland, and Monroe, having a population of 75,060.

District 17. To be composed of the counties of Pulaski, Casey, and Lincoln, having a population of 70,174.

District 18. To be composed of the counties of Boyle, Mercer, Anderson, Jessamine, and Washington, having a population of 64,301.

District 19. To be composed of the counties of Shelby, Franklin, Henry, Spencer, and Oldham, having a population of 65,315.

District 20. To be composed of the counties of Owen, Carroll, Trimble, Gallatin, Boone, Grant, and Pendleton, having a population of 53,997.

District 21. To be composed of the counties of Scott, Harrison, Bourbon, Nicholas, and Woodford, having a population of 66,871.

District 22. To be composed of the county of Fayette, having a population of 68,543.

District 23. To be composed of the counties of Jackson, Madison, Garrard, Clark, having a population of 67,290.

District 24. To be composed of the counties of Leslie, Clay, Laurel, and Rockcastle, having a population of 65,251.

District 25. To be composed of the counties of Whitley, McCreary, Wayne, and Clinton, having a population of 69,209.

District 26. To be composed of the county of Harlan, having a population of 64,557.

District 27. To be composed of the counties of Bell, and Knox, having a population of 64,013.

District 28. To be composed of the counties of Perry, Breathitt, and Owsley, having a population of 70,552.

District 29. To be composed of the counties of Letcher, Knott, and Magoffin, having a population of 66,631.

District 30. To be composed of the county of Pike, having a population of 63,267.

District 31. To be composed of the counties of Floyd, Johnson, and Martin, having a population of 73,414.

District 32. To be composed of the counties of Montgomery, Powell, Estill, Wolf, and Lee, having a population of 52,693.

District 33. To be composed of the counties of Rowan,

Bath, Menifee, Morgan, and Elliott, having a population of 49,627.

District 34. To be composed of the counties of Boyd, and Lawrence, having a population of 60,562.

District 35. To be composed of the counties of Carter, and Greenup, having a population of 48,393.

District 36. To be composed of the counties of Mason, Lewis, and Fleming, Robertson, Bracken, having a population of 59,067.

District 37. To be composed of the county of Kenton, having a population of 93,534.

District 38. To be composed of the county of Campbell, having a population of 73,391.

All laws and parts of laws in conflict herewith, are hereby repealed.

By Senator Mehler.

S. B. 386. An Act entitled, An Act to amend Sections and re-enact sections 868 and 868-A of Kentucky Statutes, Carroll's 1930 Edition, relating to profits and losses of Building and Loan Associations and distribution thereof and Contingent or Reserve Fund of such associations.

To Committee on Banks and Trust Companies.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 868 of Kentucky Statutes, 1930 Carroll's Edition, relating to profits and losses of building and loan associations and distribution thereof, be amended by

striking therefrom the following words in the last sentence "and losses sustained" and substituting therefor "and all losses sustained except such losses from sale of real estate as may be charged to reserve fund as provided in Section 868-A" so that said Section, as amended, shall read as follows:

"Dividends shall be declared, credited or paid on stock in proportion to the amount paid in on such stock, quarterly, semi-annually or annually, as the by-laws may provide, but no dividends shall be declared, credited or paid by any Association, except out of net profits collected, after deducting from the earnings all expenses of operation and all losses sustained, except such losses from sale of real estate as may be charged to reserve fund as provided in Section 868-A hereof."

§ 2. That Section 868-A of Kentucky Statutes, 1930 Carroll's Edition, relating to establishment of Contingent or Reserve Fund of Building and Loan Associations, be amended by adding thereto, the following: "Provided, that any and all losses from sale of real estate shall be charged against this fund, and any profits from sale of real estate shall be credited to this fund, but no losses shall be charged against such fund if it reduces the amount thereof to a sum less than one per centum of the assets of the Association and no profits shall be credited thereto if it increases such fund beyond five per centum of the assets" so that said Section, as amended, shall read as follows:

"Every Association shall set aside from the gross profits at least one per cent thereof each year as a sinking fund to provide against contingent losses until the total amount of the fund, so set aside, shall equal five (5) per cent of the assets of such Association, but this sinking fund shall in no case exceed ten per centum of the assets of the Association. Provided, that any and all losses from sale of real estate shall be charged against this fund and any profits from sale of real estate shall be credited to this fund, but no losses shall be

charged against such fund if it reduces the amount thereof to an amount less than one per centum of the assets of the Association and no profits shall be credited thereto if it increases such fund beyond five (5) per centum of the assets."

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

By Senator Royster.

S. B. 387. An Act to amend Section 3747a-1, Carroll's Kentucky Statutes, 1930 Edition, in relation to the publication of statements by officials collecting, receiving, having the custody, control, or disbursement of public funds within districts, cities, towns, or subdivisions, the boundaries of which are less than a county.

To Committee on Classification of Cities and Towns.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3747a-1, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended by inserting after the words, "the largest circulation therein," the following proviso:

Or if such officer shall exercise his functions in a district, city, town, or subdivision, the boundaries of which are less than a county, then such statement shall be published, as herein provided, in a newspaper having the largest circulation within the lesser district, city, town, or subdivision of said county.

So that said section as amended and re-enacted, shall read as follows:

Every public official of any county, graded school district,

city, town or subdivision or district, less than a county, whose duty it is, by virtue of his office, to collect, receive, have the custody, control or disbursement of public funds of said county, graded school district, subdivision or district of said county, city or town, except in counties containing a city of the first class or a county or city which by laws is required to make quarterly publication of its fiscal and financial affairs, shall at the expiration of each fiscal year prepare an itemized, sworn statement of such funds so collected, received, held or disbursed by him during the fiscal year just closed, which statement shall show the amount of public funds collected and received and from what sources received; the amount disbursed, the date of each disbursement, for what purposes expended and to whom paid; and said official shall procure and include in or attach to said report as a part thereof a certificate from the cashier, or other proper officer of the bank or banks in which such funds are or have been during the year past deposited, showing the balance, if any, of such public fund or funds to the credit of the official making such statement; and such officer shall within thirty days after the close of the fiscal year cause such statement to be published in full in a newspaper published in said county which has the largest circulation therein, or if such officer shall exercise his functions in a district, city, town or subdivision, the boundaries of which are less than a county, then such statement shall be published, as herein provided, in a newspaper having the largest circulation within the lesser district, city, town or subdivision of said county, and said officer shall file a written or printed copy of said statement, subscribed and sworn to, in the office of the clerk of the county court of the county in which said officer resides, or holds office. Provided, that the publication required in this Act shall be made in the size of type provided by law and at the rate provided by law, to be paid for out of the public funds in the hands of the officer making such statement.

A message was received from the House of Representatives announcing that they had passed bills of the following titles:

H. B. 425. An Act providing educational opportunities for the orphans of soldiers, sailors, and marines who were killed in action or died during the World War, and appropriating necessary money therefor from general fund.

It was ordered that said bill be referred to the Committee on Appropriations.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The sum appropriated under the provisions of the Act shall be used for the sole purpose of providing for matriculation fees, board and room rent and books and supplies for the use and benefit of the children not under sixteen and not over twenty-one years of age; and who have for twelve months had their domicile in the State of Kentucky, of those World War Veterans who were killed in action or died from other causes in the World War, from April 6, 1917, to July 2, 1921, while serving in the army, navy or marine corps of the United States, or as a result of such service; which orphans are attending or may attend a State educational institution of a secondary or college grade. Said children shall be admitted to State institutions of secondary or college grade free of tuition.

§ 2. The amounts that may be or may become due to any educational or training institution, not in excess of the amount specified in Section 3 hereof, shall be payable to such institution or school from the fund hereby created on vouchers approved by the State Board of Education. Said board shall determine the eligibility of the children who make application for the benefits provided for in this Act; satisfy itself of the attendance of such children at any such institution or school and of the accuracy and reasonableness of the charge or charges submitted to said board by the authorities of any such institution, on account of the attendance thereat of any

such children; provided no member of said board or its secretary shall receive any compensation for such services.

§ 3. The sum of three thousand six hundred dollars, or so much thereof as may be necessary, is hereby appropriated from the general fund for each of the fiscal years ending June 30, 1933, and June 30, 1934, for carrying out the provisions of this Act; provided not more than one hundred and fifty dollars shall be paid under said provisions for any one child for any one school year. And provided further that in the event all of said fund is not consumed in providing scholarships for orphans atttending State owned institutions of learning, then and in that event the State Board of Education, in the exercise of wise and sound discretion, may appropriate said balance, if any, to eligible war orphans who desire to enroll in vocational, technical, or business schools; provided further that not more than six scholarships in such schools may be so awarded.

H. B. 59. An Act to amend Section 1112 of Carroll's Kentucky Statutes, providing for removals on change of venue in certain criminal cases from one county to another, and for the payment of the costs on such removals, and upon the trials after such removals are had.

It was ordered that said bill be referred to the Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section One Thousand, One Hundred and Twelve of Carroll's 1930 Kentucky Statutes be amended and re-enacted by erasing and eliminating from the first subsection thereof the concluding words, "and the fiscal court of the county from which such removal is made shall allow and pay the costs thereof from the county levy," so that said section as amended is re-enacted and shall read as follows:

"Section 112. Removal from county in state of lawlessness; expense paid by county.

"(1) Whenever any circuit judge shall be satisfied from his own knowledge and from the written statement of the Commonwealth's attorney of that district that such a state of lawlessness exists in any county of this Commonwealth or that he be so satisfied that a high state of excitement or feeling of prejudice exists therein against the defendant that there is apparent danger of mob violence wherein loss of life or destruction of property may occur unlawfully that a trial in such county can not be fairly and impartially had, or that the officers of the court will be prevented from discharging their duty or that the jurors may be intimidated or deterred from fairly and impartially rendering a verdict in the case, he may order the prosecution removed to some other county in which a fair trial can be had.

"(2) A change of venue may be had to some other county when the facts exist as set out in Section 1 of this Act on the motion of the defendant by counsel and his presence in court waived when the written statement of his counsel is filed in such case and the affidavit of the defendant filed therein that he is in danger of mob violence in such county and for that reason he desires that a change of venue be had to some other county and that he therein waives his presence on the hearing of a motion for a change of venue."

Because of the many changes of venue being made in criminal proceedings from certain counties of the Commonwealth to other counties, and because of the unfairness in requiring the counties to which such changes of venue are made to bear the costs burden of the counties where the causes of the prosecutions occur, an emergency is hereby declared to exist, and this Act shall be in effect on and after its passage and approval by the Governor, or upon the elapsing of ten days after its formal passage, provided the Governor shall not have approved or disapproved the same within said ten days.

H. B. 18. An Act regulating the hours of labor, providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works, and further providing for definition of terms used, enforcement of and penalty for violation of this act.

It was ordered that said bill be referred to the Committee on Labor and Manufacturing.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Hours and Wages:

(a) Eight hours shall constitute a legal day's work for all classes of employment in this Commonwealth except those exempted and/or unless otherwise provided by law.

(b) Each contract to which the Commonwealth or a county thereof or a municipal corporation or a commission of the Commonwealth or county or a municipal corporation, elected or appointed pursuant to law, is a party and which requires or involves the employment of laborers or mechanics, shall contain a stipulation that no laborer or mechanic in the employ of the contractor, sub-contractor or other person, firm or corporation doing or contracting to do the whole or a part of the work contemplated by the contract shall be permitted or required to work more than eight hours in any one calendar day except in cases of emergency caused by fire, flood or danger to life or property.

(c) The wages to be paid for a legal day's work, as hereinbefore defined, to laborers and mechanics upon such public works or upon any material to be used in connection therewith shall not be less than the prevailing rate for a day's work in the same trade or occupation in the locality within the Commonwealth where such public work on, about or in

connection with such labor is performed in its finished or completed form is to be situated, erected or used; and, such contracts shall contain a provision that each laborer or mechanic employed by such contractor, sub-contractor or other person, firm or corporation about or upon such public work, shall be paid the wages herein provided.

(d) This section shall not apply to:

1—Employees engaged in farm and domestic service.

2—Other persons regularly employed in state charitable and eleemosynary institutions, except mechanics.

3—Engineers, electricians, elevator men and such other employees as are required at the State Capitol during the session of the General Assembly and on special or emergency occasions.

4—Employees engaged in the construction, maintenance and repair of the roads in the State Highway system.

§ 2. Definitions:

(a) The term "prevailing rate of wage" for the intents and purposes of this act, shall be the rate of wage paid in the locality, as hereinafter defined, to the majority of laborers or mechanics in the same trade or occupation; in the event that it be determined that there is not a majority in the same trade or occupation paid at the same rate, then the rate paid to the greater number in such trade or occupation shall be the prevailing rate, providing such greater number constitutes at least forty per centum of the laborers or mechanics engaged in such trade or occupation; in the event there is less than forty per centum of the laborers or mechanics engaged in the same trade or occupation in the same locality paid the same rate, then the average rate paid to such laborers or mechanics in the same trade or occupation shall be the prevailing rate.

(b) The term "locality" for the purpose of this act shall

mean the city or other civil division of the Commonwealth wherein the physical work is being performed.

(c) The term "laborers" for the intents and purposes of this act shall mean and include unskilled workmen who perform physical or manual labor and who are not ordinarily classed as apprentices or journeymen mechanics.

(d) The term "mechanics" for the intents and purposes of this act shall mean and include such workmen who direct, supervise or perform physical or manual labor of skill and are commonly classed as apprentices or journeymen mechanics.

§ 3. Enforcement:

(a) It is hereby made the duty of the chief officer of the Department of Labor of the Commonwealth of Kentucky to determine the prevailing rate of wages for work to be performed under the provisions of this act and to this end such chief officer may, and on written request of any interested person shall, require any person, firm or corporation performing a contract under the provisions of this act, to file with such chief officer a schedule of the wages to be paid to such laborers or mechanics employed by such person, firm or corporation; and, such person, firm or corporation shall within five days after the receipt of such requirement file with the chief officer such schedule of wages.

(b) The chief officer, as herein defined, may, on his own initiative and must, on a verified complaint in writing, of any person interested, cause an investigation to be made to determine the prevailing rate of wages in the same trade or occupation in the locality within the Commonwealth where such public work is being performed, or the hours of labor performed by the laborers or mechanics employed on such public work or both. The chief officer or his deputies are hereby empowered and persons, firms or corporations subject to the provisions of this act shall permit the chief officer or his deputies

to examine the books and records pertaining to the rate of wages paid to the laborers or mechanics employed on public works and/or the hours of labor performed by laborers or mechanics on public works under the provisions of this act.

§ 4. Preference in Employment of Citizens Upon Public Works:

(a) In the construction of public works under the provisions of this act, preference shall be given to citizens of the Commonwealth of Kentucky; persons other than citizens of Kentucky may be employed when such citizens are not available and in each contract let under the provisions of this act, a provision shall be inserted that if this section is not complied with the contract shall be void.

(b) Boards, officers, agents, or employees having the power to enter into contracts who are required to comply with the provisions of this act, shall file with the chief officer of the Department of Labor the names and addresses of all contractors granted contracts upon and after this act becomes effective.

(c) Upon the demand of the chief officer of the Department of Labor, a contractor shall furnish a list of the names and addresses of all his sub-contractors, and all contractors and sub-contractors shall keep a list of his employees showing date employed, occupation, rate of pay, hours worked, resident or non-resident of the Commonwealth of Kentucky and date of termination of employment.

§ 5. Penalty for Violation of Provisions of this Act:

That if any officer or agent of the Commonwealth of Kentucky or a county thereof or a municipal corporation thereof, or a commission of the Commonwealth of Kentucky or county or municipal corporation, whose duty it shall be to employ, direct or control any laborer or mechanic employed upon any of the public works or buildings of the Commonwealth of

Kentucky, or county thereof, or municipal corporation, or a commission of the Commonwealth of Kentucky or county thereof or a municipal corporation, except those exempted in Section 1 herein, who shall violate any provision of this act, shall be guilty of a misdemeanor and for each and every such offense shall, upon conviction, be punished by a fine of not less than fifty dollars ($50.00), nor more than five hundred dollars ($500.00), or by imprisonment for not more than three (3) years or by both such fine and imprisonment in the discretion of the Court having jurisdiction thereof.

§ 6. All acts and parts of acts in conflict herewith to the extent of such conflict are hereby repealed.

§ 7. Should the courts decree any section or provision of this act unconstitutional, such decision or decisions shall not affect the other sections or provisions of this act. It is the legislative intent that any section or sections of this act which may not be declared unconstitutional shall be operative.

H. B. 439. An Act to repeal and re-enact Chapter 143 of the 1930 Acts of the General Assembly of the Commonwealth of Kentucky, same being Section 2061a-42, Baldwin's 1930 Supplement to Carroll's 1930 Kentucky Statutes, entitled "Certain counties may divert funds for support and maintenance of sanatoria, when"

It was ordered that said bill be referred to the Committee on Public Health.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 143 of the 1930 Acts of the General Assembly of the Commonwealth of Kentucky, same being Section 2061a-42, Baldwin's 1930 Supplement to Carroll's 1930 Kentucky Statutes, entitled, "Certain counties may divert

funds for support and maintenance of sanatoria, when," be repealed and re-enacted so as to read as follows:

"That any county, which has levied a tax and collected funds from such levy for the purpose of studying, treating and preventing tuberculosis through the establishment of a County Sanatoria, or otherwise, but where said county is not financially able, or inclined to erect said sanatoria, the Fiscal Court of said county is hereby authorized and directed to divert any and all funds collected under the provisions of the Acts of 1908 and 1918 for purposes herein described to the purchase of a county farm or poor farm, and for the erection of proper and necessary buildings thereon, and for the support and maintenance of said county farm, or poor farm, wherein the unfortunates of said county are kept and maintained on account of their inability to support themselves either from being afflicted with tuberculosis, or otherwise."

H. B. 102. An Act to further amend an act entitled "An Act for the government of cities of second class in the Commonwealth of Kentucky" which was approved March 19, 1894, and thereafter in due course became a law and as same has since been amended, all of which said act and amendments now appear as Article 3 of Chapter 89, Kentucky Statutes.

It was ordered that said bill be referred to the Committee on Municipalities.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION I.

That an act entitled "An Act for the government of cities of the second class in the Commonwealth of Kentucky" which was approved March 19, 1894, and thereafter in due course became a law and as same has since been amended, all of which act and amendments now appear as Article 3 of Chapter 89

of the Kentucky Statutes, be and the same is hereby amended by adding thereto the following:

A.

Any city of the second class under the laws of the Commonwealth of Kentucky may become organized and be governed under the provisions of this act by proceeding as hereinafter provided. Organizing under this act shall not change the corporation entity of any such city and all laws applicable to and governing cities of the second class and not inconsistent to the provisions of this act shall continue to apply to and govern every city that may organize under this act. All by-laws, ordinances and resolutions in force in any such city and not inconsistent with the provisions of this act shall continue to be in force until altered or repealed in manner provided for herein.

B.

It shall be the duty of the County Judge in the county in which is located the city proposing to take the sense of its voters as herein provided upon the question of organizing and being governed under this act, by the application of written petition signed by a number of the legal voters of said city equal to 25% of the votes cast in said city at the last preceding general election, to receive said petition and at the next regular term thereafter to make an order on his order book directing an election to be held in said city at the next regular election and not earlier than sixty days after said application is lodged with the said Judge, which order shall direct the sheriff or other officer of said county who may be appointed, to hold said election, to open the polls at each and all of the voting places in said city for the purpose of taking the sense of the qualified voters of said city upon the question as to whether or not the citizens in said city are in favor of the organization and government of said city under the provisions of this act. The question to be submitted to the voters shall be: "Are you in favor of the organization and government of the city of ..... (naming the city in which

said vote is to be taken) under the provisions of an act entitled 'An Act to further amend an Act entitled "An Act for the government of cities of second class in the Commonwealth of Kentucky" which was approved March 19, 1894, and thereafter in due course became a law and as same has since been amended, all of which said act and amendments now appear as Article 3 of Chapter 89, Kentucky Statutes, which was adopted by the General Assembly of the Commonwealth of Kentucky at the session of 1932?' "

It shall be the duty of the county clerk to give to the sheriff of the county, or to such officer as may be appointed to hold said election, a certified copy of the order of the county court as it appears on the order book, within five days after such order is made; and it shall be the duty of said sheriff or other such officer to have said order published in some daily or weekly newspaper published or circulated in said county for at least two weeks before the election and also to advertise the same by printed or written notices posted in conspicuous places in said city for the same length of time. If there is no daily or weekly newspaper published in said city or if the proprietor of said paper refuses to publish such notices, the printed or written hand bills provided for shall be sufficient notice. The sheriff or other such officer shall have the advertisement and notices herein provided for posted as herein required within seven days after he receives the order of the county court aforesaid. All elections provided for in this act, except the primary elections, shall be held on the regular election day by the regular election officers.

The canvassing board having authority to canvass the election returns for elections held within said city and county shall canvass the returns of said election and shall correctly certify the result of said elections showing the total number of votes cast for and the total number of votes cast against said proposition, which certificate shall be delivered to the clerk of the county court, and a copy thereof delivered to the clerk of the city; and at the next regular term of said county court the county judge shall cause said certificate to be spread

on the order book of said court, and the entry of said certificate in the order book or copy thereof, shall be prima facie evidence of the facts therein contained, and shall be conclusive evidence of said election and the result therof.

If a majority of the votes cast at said election shall be in favor of organizing and governing the city under the provisions of this act, a certified copy of the certificate of said canvassing board shall be spread upon the records of said city at the next regular meeting of its Board of Commissioners or City Council. Thereupon said city shall be organized and governed by the provisions of this act. But failure on the part of any of said ministerial officers to perform their duties as required in this section shall not prevent the organization and government of said city under the provisions hereof.

C.

All the present city officers save those of mayor and police judge, shall at the expiration of that year which shall next follow the year in which said election is held be ipso facto abolished, if the vote at said election shall be in favor of the organization and government of the city under this act. Provided, however, that the commissioners or other officers then or theretofore elected by the people shall continue in office and administer the government of such city until the expiration of the terms for which they were elected; and provided further that elections under this act shall not be held in the same year that the mayor or police judge is elected.

D.

At the regular city election in the year next following the year in which the election is held, pursuant to Section B hereof, there shall be elected by the qualified voters of said city two commissioners who shall serve for a period of two years each respectively, and such election for commissioners shall be held biennially; and at each alternate election for commissioners there shall be elected a mayor or police judge. Said commissioners shall serve each for a term of two years. Said mayor

and police judge shall serve each for a term of four years. The mayor, police judge and commissioners shall be nominated and elected from the city at large and as herein prescribed.

E.

No person shall be elected without first having been nominated in the manner hereinafter prescribed. On the third Saturday before the day for the regular election there shall be held a primary election. Said primary election shall be conducted by the same officers chosen and acting in the same manner, with the same rights and duties, as in the later regular election.

Each applicant for nomination shall, at least ten days before the day for said primary election, file with the county clerk a petition signed by at least one hundred voters and in the following form:

"We, the undersigned, qualified voters of the city of ..... (naming it), and residing each at the place indicated opposite his name signed hereto, do hereby request that the name of ..... (naming the applicant), be placed on the ballot as that of an applicant for nomination for the office of ..... (naming the office sought), at the primary election to be held in our city on the third Saturday before the next regular election. We know the applicant to be a qualified voter of the city and a man of good character; and he is, in our judgment, qualified for the duties of the office sought by him."

Names	Numbers	Streets
.....	.....	.....
.....	.....	.....
.....	.....	.....

Such petition shall be verified by the affidavit of some person or persons as to the genuineness of the signatures and addresses of the signers.

No voter shall sign more than one such petition with reference to each office that is to be filled. In the event that a person shall sign more than one petition of applicants for nomination for mayor or police judge or shall sign the petitions of more than four applicants for nomination for commissioners, then the name of said petitioner shall not be counted as a valid name on any of said petitions.

Immediately upon the expiration of the time for filing such petitions the said county clerk shall cause to be published for three successive days in the official newspaper of the city, and in such other papers as he may designate, in proper form, the names of the persons as they will appear upon the primary ballots; and the said clerk shall thereupon cause the primary ballots to be printed, authenticated with a fac simile of his signature. Provided, however, that immediately upon the expiration of the time of filing such petition, if it should appear that there are only two applicants for nomination for mayor or police judge, and only four applicants so nominated by such petitioners for commissioners, such two applicants for mayor or police judge and such four applicants for commissioners, as the case may be, shall be thereupon nominated and the names of such nominees shall not be placed upon the primary ballot for such primary election, and no primary election shall be held for nomination for such offices; but the county clerk shall cause the names of such applicants to be placed on the regular ballot for the general election.

Upon said ballots the names of said applicants for each nomination shall be placed in alphabetical order, with a square at the right of each name, and above the names of the applicants for nomination for mayor or police judge, as the case may be, shall be printed the words "Vote for one," and above the names of the applicants for nominations for commissioners shall be printed the words "Vote for two." The ballots shall contain no party designation or emblem of any kind, nor any sign indicating any applicant's political belief or party affiliation.

Having caused said ballots to be printed, the said county clerk shall cause to be delivered at each polling place a number of said ballots equal to twice the number of votes cast in such polling precinct at the last preceding general municipal election for mayor. The persons who are qualified to vote at the general municipal election shall be qualified to vote at such primary election, and the law applicable to challenges made at a general municipal election shall be applicable to challenges made at such primary election.

At such primary election the two applicants receiving the highest number of votes for nomination for mayor or police judge, as the case may be, shall be thereby nominated; and the four applicants receiving the highest number of votes for nominations for commissioners shall be thereby nominated.

F.

At the regular election held under this act the names of the nominees who shall be selected by the primary or who shall be certified by the county clerk, as herein provided, shall be placed in alphabetical order upon ballots differing from those used in the nomination only in that said regular election ballots shall contain only the names of the successful nominees and said ballot shall contain the heading "CITY BALLOT." The nominee receiving the greater number of votes cast for mayor or police judge, and the two nominees receiving the greater number of votes cast for commissioners shall be declared elected respectively and certificates of election issued accordingly.

G.

Every fourth year after the election at which a mayor and two commissioners shall be elected, and every fourth year after the election at which a police judge and two commissioners are elected, a primary election and a regular election shall be held in the same manner for said offices. Any legal voter not less than 25 years of age and possessing the other qualifications prescribed by law shall be eligible to election to any office under this act.

H.

The mayor shall be elected for a term of four years beginning on the first Monday in January following his election, and he shall receive an annual salary of $4,000.00; and said two commissioners shall be elected for a term of two years beginning on the first Monday in January following their election and each commissioner shall receive an annual salary of $3,600.00.

I.

The mayor and two commissioners shall constitute a board of commissioners. In this board of commissioners shall be vested all the legislative, executive and administrative power of the city save as herein otherwise provided. Two members of the board of Commissioners shall constitute a quorum, but the affirmative vote of at least two members shall be necessary to the adoption of any motion, resolution or ordinance or the making or approval of any contract or the passage of any measure.

Upon each vote the yea and nays shall be recorded and every motion, resolution and ordinance shall be reduced to writing and read before the vote is taken thereon. The mayor shall preside at meetings of the board, but he shall have no veto power. Every resolution, measure or ordinance and all contracts shall be signed by him or by the two commissioners and recorded before it shall take effect. The board of commissioners shall at the beginning of its term of office elect by a majority vote one commissioner to act as mayor pro tem., and the commissioner so chosen shall be vested with all the power and shall perform all the duties of mayor in the event of his absence from the city or his inability to attend the duties of his office.

J.

Every ordinance or resolution ordering the construction or reconstruction of any street or sewer, or making or authorizing any contract involving the expenditure of more than

One Thousand Dollars ($1,000.00) or granting any franchise or the right to use or occupy the streets, highways, bridges, or public places of the city for any except a merely temporary purpose shall after its introduction and before its adoption remain on file at least one week for public inspection in the completed form in which it shall be put upon its final passage; and no such ordinance or resolution shall go into effect until the expiration of ten days after its passage, except in case of emergency the public health or safety shall require that it take immediate effect, which fact shall be declared by the unanimous vote of the board of commissioners.

K.

The board of commissioners shall meet at least once a week for the transaction of business. It shall fix by ordinance the times of holding its regular meetings. Any special meeting may be called by the mayor or by two commissioners. All meetings shall be public.

L.

The administrative functions of the city shall be classified under three departments, as follows:

1. Department of Public Affairs.
2. Department of Public Finance.
3. Department of Public Works.

M.

The board of commissioners shall determine the functions of each department, and shall prescribe the duties of its commissioner and of his employees. It may assign any employee to one or more departments or require any employee to perform duties in two or more departments. It shall make all such rules and regulations as to the conduct of the various departments as may be necessary and proper for the efficient and economic conduct of the business of the city.

N.

The mayor shall be the commissioner of the department of public affairs and shall have a general advisory supervision of the affairs of the other departments. The board of commissioners shall at its first regular meeting designate by majority vote one commissioner to have superintendence of the department of public finance and one commissioner to have superintendence of the department of public works.

O.

The board of commissioners shall also at its first meeting, or as soon thereafter as may be practicable, appoint all such employees as may be necessary for the proper and efficient conduct of the affairs of the city.

All such employees shall be agents, not officers of the city; and they shall perform such duties and for such compensation as the board of commissioners may by ordinance prescribe. Each employee shall be selected with reference solely to his fitness and for the good of the public service (without reference to his political faith or party affiliation) and the board of commissioners shall adopt such rules and regulations looking to the appointment and discharge of employees as will tend to carry out the spirit of this provision and lead to the establishment of the merit (system) in public service.

P.

The board of commissioners shall at the termination of each month of the fiscal year cause to be printed in the official newspaper an itemized statement of all receipts and expenses of the city during the month.

At the termination of each fiscal year the board of commissioners shall cause one or more competent accountants to make a complete examination of the books and accounts of the city, and shall cause the result of such examination to be published in the official newspaper and in pamphlet form, and a copy of the report in pamphlet form to be given to each voter who may apply for same at the proper office.

Q.

In case of the death, resignation, or inability of the mayor, causing a permanent vacancy in said office, the mayor pro tem. shall act as mayor and shall possess all the rights and powers and perform all the duties of the mayor and receive his salary, under the official title, however, of mayor pro tem., until such vacancy in the office of mayor is filled by an election ordered by the board of commissioners for that purpose, at which time the mayor pro tem, if his term as commissioner be then unexpired, shall resume his duties as such commissioner.

In the event that any commissioner shall for more than thirty days be necessarily absent from the city, or for the same period shall be unable from sickness or other cause to discharge the duties of his office, or in the event the mayor pro tem. shall be filling the office of mayor, as contemplated above, for such period, the board of commissioners may fill such office temporarily by appointment, and said appointee shall discharge the duties of the commissioner whose place may thus be temporarily filled until such commissioner shall return or become fit for and resume his duties, and any such temporary appointee shall serve without compensation.

In the event of a permanent vacancy in the board of commissioners caused by the death, resignation or inability of any member thereof, or in the event a permanent vacancy in the office of mayor shall be filled by the mayor pro tem, such vacancy shall be filled by appointment by the other members of the board until the vacancy shall be filled by the election of a successor at the next regular election of municipal officers, as is prescribed by law, and such temporary appointee shall, for the time he serves as such, receive the salary of the commissioner whose place he has been appointed to fill.

A vacancy shall exist when any elective officer fails to qualify within ten days after notice of his election, or dies, (or resigns), or moves his domicile outside the city, or re-

mains outside the city for a period of six months, or is convicted of a felony, or is judicially declared insane, or is removed from office in any manner.

R.

In case of misconduct, inability, or willful neglect in the performance of the duties of his office, the mayor or any commissioner may be removed from office by a unanimous vote of the other members of the board of commissioners. But no such officer shall be so removed without having been given the right to have a full public hearing with representation by counsel and with witnesses summoned in his behalf and required to testify. The findings of fact at such hearing, and the reasons for any such removal, shall be stated in writing and filed as matter of public record.

S.

If during the ten days next following the passage of any such ordinance as cannot within said ten days become effective, a petition signed by a number of voters equal to at least twenty-five per centum (25%) of the total number of votes cast for both candidates for mayor at the last preceding regular election for mayor, stating the residence of each signer, and verified as to signatures and residences by the affidavits of some one or more persons, shall be presented to the board of commissioners, protesting against the passage of such ordinance, such ordinance shall be suspended from going into effect, and shall be reconsidered by the board of commissioners. If such ordinance be not then repealed, the board shall submit to the voters of the whole city at either a special or a regular election according to law, the following question "Shall the ordinance (briefly describing it) go into effect?" and if a majority of the votes cast upon such question be in the negative the ordinance shall not go into effect. But if the majority of the votes cast upon such question be in the affirmative the ordinance shall go into effect as soon as the result is officially ascertained and declared.

T.

If a petition signed by a number of voters equal to at least twenty-five per centum (25%) of the total number of votes cast for both candidates for mayor at the last preceding regular election for mayor, stating the residence of each signer, and verified by affidavits of some one or more persons as to the signatures and residences, requesting the board of commissioners to pass an ordinance therein set forth—if such petition be presented to the board of commissioners, and if the ordinance therein requested to be passed be one that the board has a legal right to pass, then the board shall either pass such proposed ordinance without alteration, within ten days after such petition is filed, or submit the question of its passage to the voters of the city at the next regular election. At such election the question submitted shall be: "Shall the proposed ordinance (briefly describing it) be passed?" If a majority of the votes cast upon said question be in the affirmative, the proposed ordinance shall be thereby passed, and shall become effective, as soon as the result is officially ascertained and declared. Any such ordinance shall not be amended or repealed except by the voters at a regular biennial city election. Any number of proposed ordinances requested by petition as above provided for may be voted on at any election.

The board of commissioners may submit the question or the repeal or amendment of any such ordinance to the voters at any succeeding regular election; and if a majority of the votes cast on such question be in favor of the repeal or amendment, such ordinance shall be thereby repealed, or amended, as the case may be.

U.

Whenever a question of passage of a proposed ordinance, or of the going into effect, or the repeal, or the amendment of an ordinance is to be submitted to the voters at an election, the board of commissioners shall cause the proposed ordinance or ordinances, or the ordinance and amendment, as the case

may be, to be printed once in the official newspaper of the city, and in such other newspapers as the board of commissioners may direct, before such election.

V.

The expense of all primary elections under the provisions of this act shall be paid by the city.

W.

The mayor and each commissioner shall execute a bond to the city, upon which an action may be maintained by any person or persons, interested in the keeping of the covenants therein contained, in the penal sum of ten thousand dollars ($10,000.00), conditioned upon the faithful performance of his official duties, such bonds to be approved by the county judge, and filed as matters of public record.

X.

Nothing herein shall be construed to apply to the organization, existence, or conducting the affairs, of the Board of Education.

H. B. 87. An Act to amend Section 415b-6, Carroll's Kentucky Statutes, 1930 Edition, relating to pensions for confederate soldiers, and declaring an emergency.

It was ordered that said bill be referred to the Committee on Veterans' Legislation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 415b-6, Kentucky Statutes, 1930 Edition, which is as follows:

"That any Confederate veteran who has been an actual

bona fide resident of this State continuously since January 1, 1907, and who did actual military service in the Confederate Army from the date of his enlistment till the close of the war or until he was honorably discharged as an officer or private soldier or sailor in the military and naval service of the Confederate States of America in the war of 1861 to 1865, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1890, and who was living with him as his lawful wife at the time of his death and who has not remarried again since the death of her veteran husband, shall be paid out of the state treasury the sum of $20.00 per month upon proof of the fact according to forms and regulations prescribed by this act and conditions therein. Provided, that any officer or private soldier or sailor who was prevented from so serving until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this act as though he had served until the close of the war or until honorably discharged; and provided, further, that any officer, or private soldier or sailor who deserted or was dishonorably discharged, shall not be entitled to the benefits of this act unless he be re-enlisted or returned to the service in the confederate army and served until the close of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service,'' be amended by striking therefrom the following: ''sum of $20.00;'' and inserting in lieu thereof the following: ''sum of $30.00,'' so that, when said section is amended, it will read as follows:

''That any Confederate veteran who has been an actual bona fide resident of this State continuously since January 1, 1907, and who did actual military service in the Confederate Army from the date of his enlistment till the close of the war or until he was honorably discharged as an officer or private soldier or sailor in the military and naval service of the Confederate States of America in the war of 1861 to 1865, or the

widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1890, and who was living with him as his lawful wife at the time of his death and who has not remarried again since the death of her veteran husband, shall be paid out of the state treasury the sum of $30.00 per month upon proof of the fact according to forms and regulations prescribed by this act and conditions therein. Provided, that any officer or private soldier or sailor who was prevented from so serving until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this act as though he had served until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this act as though he had served until the close of the war or until honorably discharged; and provided, further, that any officer, or private soldier or sailor who deserted or was dishonorably discharged, shall not be entitled to the benefits of this act unless he be re-enlisted or returned to the service in the confederate army, and served until the close of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service."

Section 2. Whereas, there are many old confederate soldiers at the present time who are destitute and have nothing upon which to live, an emergency is hereby declared to exist and this Act shall take effect immediately upon and after its passage.

H. B. 260. An Act to repeal Section 2554a-16, Kentucky Statutes, giving peace officers five dollars for making arrests of persons for violating the law prohibiting the sale of intoxicating liquors.

It was ordered that said bill be referred to the Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2554a-16 of Carroll's Kentucky Statutes, 1930 Edition, same being Section 16 of Chapter 33 of the Acts of March 22, 1922, which section reads as follows:

"Any peace officer making an arrest of any person for violation of this act shall, upon final conviction of defendant, receive a fee of five dollars to be taxed as costs, and if not paid as costs then same shall be allowed by the fiscal court of the county and paid out of the county funds."

Be and the same is hereby repealed.

H. B. 52. An Act to repeal and re-enact Section No. 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

It was ordered that said bill be referred to the Committee on Revenue and Taxation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4223c-1 of Carroll's Statutes, 1930 Edition, be and the same is hereby repealed and re-enacted and when so re-enacted that same shall read as follows:

Every person, firm, corporation or association producing crude petroleum oil in this state shall in lieu of all other taxes on the wells producing said crude petroleum, annually pay a tax equal to one-half (½) of one per cent (1%) of the market value of all crude petroleum so produced; and such tax shall be for state purposes, and in addition any county in the state

may impose a like tax for road purposes, county purposes or school purposes, not to exceed one per cent (1%) of the market value of all crude petroleum produced in such county; and the Fiscal Court of any county may levy said tax for county purposes; and shall determine what fund or funds shall receive the tax when collected. And when crude petroleum is produced in any separate taxing district in a county the Fiscal Court shall equitably distribute such taxes between the county and such taxing district.

H. B. 167. An Act making it unlawful to operate any machine or contrivance whereby money or other things may be won or lost and commonly known as a slot machine. Providing for penalties against the premises used in the violation of this Act, prescribing the duties of ministerial, peace and police officers under the provisions of this act and punishment for their failure to enforce same; exempting from its provisions betting or wages on races in enclosures and supervised by the State Racing Commission and providing penalties for its violation.

It was ordered that said bill be referred to the Committee on Labor and Manufacturing.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any person, firm or corporation who, with or without compensation, shall set up, carry on, keep, manage, operate or conduct, or shall aid or assist in setting up, carrying on, keeping, managing, operating or conducting any machine or contrivance used in betting, whereby money or other things may be won or lost and commonly known as a slot machine, shall be fined not less than Fifty ($50.00) Dollars nor more than One Hundred ($100.00) Dollars and costs.

§ 2. Any person, firm or corporation knowingly or inten-

tionally renting, hiring, letting or lending any house, building or other structure or premises or any boat or other watercraft for the purpose of violating the provisions of this Act, shall be guilty of a nuisance and the violation of this Act and the property so used shall be forfeited and sold as if the unlawful act had been committed by him or them in person.

§ 3. It shall be the duty of all ministerial, peace and police officers in this State to apprehend all persons guilty of violating Section One of this Act and to take such person or persons before a Magistrate of the County or Police Court of the municipality in which the offense was committed, to be disposed of according to law.

§ 4. If any such officer shall knowingly and wilfully fail and refuse to discharge the duties imposed and required of him under the preceding Section, he shall be fined in the sum of not less than One Hundred ($100.00) Dollars nor more than Five Hundred ($500.00) Dollars.

§ 5. The provisions of this Act shall not apply to bets or wagers made within the enclosures of a race course or a track licensed by the State Racing Commission during an authorized and licensed racing meeting at such race track of course and shall not apply to bets or wagers made in an enclosure during regular meetings wherein running, trotting or pacing races are being conducted by associations regularly organized for that purpose.

§ 6. All laws or parts of laws in conflict herewith are hereby repealed.

H. B. 218. An Act relating to intoxicating liquors and to repeal section 2554a-17, Kentucky Statutes, 1930, Carroll's Edition, and being section 17 of Chapter 33 of Acts of 1922.

It was ordered that said bill be referred to the Committee on Criminal Law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2554a-17, Kentucky Statutes, 1930, Carroll's Edition, being section 17 of chapter 33 of Acts 1922, session of the General Assembly, be and the same is hereby repealed.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

H. B. 250. An Act providing for the creation of an educational commission, prescribing its powers and duties and the duties of persons in connection with it, and fixing penalties for failure to perform same, and declaring an emergency.

It was ordered that said bill be referred to the Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Kentucky Educational Commission shall consist of the Superintendent of Public Instruction and eight appointed members. The Governor of this Commonwealth is authorized to appoint these members, not more than half of whom shall be persons actively engaged in educational work.

§ 2. It shall be the duty of this Commission to direct a study of public education in Kentucky and report its findings to the Governor and the General Assembly of this Commonwealth at the opening of its next regular session, with recommendations of such measures and such revision of our school code as may be found necessary for increasing the efficiency and equalizing the benefits of public education throughout the Commonwealth.

§ 3. The Superintendent of Public Instruction shall be

the Chairman of the Commission, and it shall on his nomination and recommendation appoint such assistants and incur such expenses as may be necessary; and the Superintendent of Public Instruction shall pay all the expenses of the Commission and its assistants from any funds that may become available for such purpose.

§ 4. The members of the Commission shall receive no pay for their services, but be reimbursed for expenses authorized by the Commission and actually incurred in the discharge of duties imposed by this Act, the evidence of such expenses to be submitted as provided in section 359a-1, Kentucky Statutes.

§ 5. The Commission and the persons working under its direction shall be accorded free access to all public records. Any person who wilfully withholds public records or information within his possession or obstructs the work of the Commission in any way shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than one hundred (100) dollars.

§ 6. Because of the urgent need of a general revision of the common school laws of Kentucky and of a reorganization of the State's program of public education, an emergency is hereby declared to exist, and this Act shall take effect from and after its passage and approval.

H. B. 252. An Act defining and establishing the rights of ingress and egress, of abutting real estate owners, for the purpose of making necessary repairs and improvements upon their property.

It was ordered that said bill be referred to the Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any owner of real estate shall have the right to enter

upon the abutting property, with or without the consent or permission of the owner or the person in control of said abutting property, for the purpose of making any necessary repairs or improvements to his property, in the way of painting, remodeling or altering said property; Provided, however, said owner so entering shall be liable to said abutting property owner for any damages caused by said entering, but shall not be liable for trespass.

H. B. 285. An Act concerning the paying out of money of this Commonwealth for salaries, board bills, traveling expenses and any and all other expenses incident to the performance of any duty of each and every officer, agent, appointee and employee of this Commonwealth, and requiring reports to be made each month by the heads of departments, commissioners, chairmen of boards and subordinates for traveling expenses, board bills, salaries and all other expenses before the payment of same, and prohibiting other than those expressly authorized by law of this Commonwealth; providing for the liability on the bonds of the officers whose duty it is to fix and pay salaries or expense accounts, and prescribing the punishment for a violation of the provisions of this act.

It was ordered that said bill be referred to the Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be the duty of the Auditor, Secretary of State, Treasurer, Attorney General, Superintendent of Public Instruction, of this Commonwealth, the Chairman of the State Road Commission, the Chairman of the State Board of Health, the Chairman of the State Board of Charities and Corrections, Superintendents of the Feeble Minded Institutions, and State Asylums, Wardens of the State Penitentiaries, Superintendent of the Institution for the Blind and School of Reform, State Inspector and Examiner, State Geolo-

gist and all other officers, whose duty it is or may be to fix or approve salaries or expense accounts of himself or any other person in the employment of the Commonwealth of Kentucky to make, itemize, verify and file with the Auditor of Public Accounts of Kentucky and copy thereof with the State Inspector and Examiner on or before the 10th day of each and every month a complete report of all salaries, expense accounts, board bills, traveling expenses, the names of the persons to whom the salary is paid, the amount paid, the names of the person expending the money, the purpose for which it is expended and the date thereof and the service shall be described for which the salary was paid. Such report shall cover the preceding month before the filing of the report on the 10th day of the month. Provided, however, that the Superintendents of the Feeble Minded Institute, of the Hospital for the Insane, of the School of Reform, of the Reformatory and the Warden of the Penitentiary may file the monthly statement required by this act with the State Board of Charities and Corrections which Board shall transmit the same to the State Inspector and Examiner.

§ 2. It shall be unlawful for any State official, agent, appointee, employee of this Commonwealth to expend or use any money belonging to this Commonwealth for his personal use or for any purpose not expressly authorized by law, and any person so using the same shall be guilty of converting trust funds to his own use, and shall be punished therefor as now provided by law for such offense.

§ 3. It shall be unlawful for any officer to pay to any person any sum under the disguise of payment of salary or to pay a salary to himself or another person a salary for services not actually rendered, and any person thus offending shall be guilty of a misdemeanor and fined for such offense not less than $500.00 nor more than $1000.00, or imprisonment not less than three months nor more than twelve months or both so fined and imprisoned, in the discretion of the court or jury.

§ 4. Any officer of this Commonwealth authorizing or causing any person to be paid any money in violation of this

act shall be liable therefor to the Commonwealth of Kentucky on his bond as such officer to the Commonwealth of Kentucky. And an action may be instituted in the Franklin circuit court on such bond to recover the same.

Whereas, it is manifest and common knowledge immense sums of money gathered from the taxpayers have been wasted without the Commonwealth deriving any benefit therefrom, an emergency is hereby declared, and this act shall take effect on and after its passage and approval.

H. B. 207. An Act to repeal and re-enact Section 3051 of the Kentucky Statutes, 1930 Edition, relating to annexation by cities of the second class.

It was ordered that said bill be referred to the Committee on Municipalities.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3051, Kentucky Statutes, 1930 Edition, be repealed and re-enacted so that the same, when thus re-enacted, shall read as follows:

"Section 3051. Protest against annexation; petition; practice annexation of city; procedure. Within thirty days after the enactment of an ordinance proposing to annex territory to the city or reduce the limits thereof, one or more residents or freeholders of the territory proposed to be annexed or stricken off may file a petition in the Circuit Court of the county, setting forth the reasons why such territory or any part thereof should not be annexed, or why the limits should not be reduced. Summons shall be issued thereon, and be executed on the Mayor of the city as in other cases, and the answer of the city shall be filed within twenty days after the service of the summons. The case shall be tried according to the rules and practice prescribed for the trial of equity cases,

but without the intervention of a jury. If the Court be satisfied, upon the hearing, that less than fifty per cent. (50%) of the freeholders of the territory to be annexed or stricken off have remonstrated, and that the adding or striking off of such territory to the City will be for its interest, and will cause no manifest injury to the persons owning real estate in the territory sought to be annexed or stricken off, it shall so find and said annexation or reduction shall be approved. If the Court shall be satisfied that fifty per cent. (50%) or more, of the resident freeholders of the territory sought to be annexed or stricken off have remonstrated, then such annexation or reduction shall not take place, unless the Court shall find, from the evidence, that a failure to annex or strike off will materially retard the prosperity of such City, and of the owners and inhabitants of the territory sought to be annexed or stricken off. In case the Court shall so find, the annexation or reduction shall take place, notwithstanding the remonstrance. An appeal from the judgment of the Court may be taken, as in other cases, but there shall be no change of venue from the County. Costs shall follow the judgment. If the judgment of the Court be adverse to annexation or reduction, no further effort to annex or strike off such territory shall be made within two years after the rendition of such judgment. When any unincorporated territory shall be proposed to be annexed to any City under the provisions of this Act, the Court shall have the right and power to find and decree that all or a part or parts of such territory shall be added to such City, in which event the Court shall specifically indicate and prescribe by metes and bounds, or other clear and specified description, the territory which the Court finds should be so annexed, and that part only shall be annexed.

"Whenever it is deemed advisable to annex any City of the fifth or sixth class, or part of such City, to the City, the General Council of the City proposing to annex such City, or part thereof, shall, by a vote of two thirds of its members, pass an ordinance or resolution designating the City proposed to be annexed or defining accurately the part proposed to be annexed, if it be a part, declaring it to be desirable to annex such City or part thereof, and providing that the question of

whether or not such City, or part thereof, designated in the ordinance, shall be annexed, shall be submitted to the qualified voters of such City, if it be proposed to annex such City as a whole, or if only a part of such City is proposed to be annexed by said ordinance, that the question shall be submitted to the qualified voters residing in such part of said City proposed to be annexed, at the next regular election to be held therein, if such next regular election shall not be held within sixty days after the passage of such ordinance.

"The Mayor of the City proposing to annex shall deliver a certified copy of such ordinance or resolution to the County Clerk of the County, who shall, if it be proposed to annex the whole of said City, on the ballots provided for use in the City proposed to be annexed, have printed thereon the question: 'Are you in favor of annexing to the City of .....?' filling in the blank with the name of the City proposing to annex, and opposite said question he shall print 'Yes' and 'No,' with the proper squares for stamping the cross mark to indicate preference. If it be proposed to annex only a part of said City, then the Clerk shall have said question printed on the ballots provided for use in each precinct embraced within that part of the City proposed to be annexed, and on the ballots of each precinct of which that part of the City proposed to be annexed constitutes a part. If only a part of any precinct is embraced within that part of the City proposed to be annexed, the Clerk of the Election shall, upon the ballots of all persons voting who reside in the precinct, but not within that part of it proposed to be annexed, mark an 'X' with the black ink stencil in the squares opposite both the words 'Yes' and 'No' before delivering the ballots to such voters to be used by them, so that they may not vote upon the question. The Clerk shall cause to be delivered by the Sheriff to the officers of election in each precinct a copy of said ordinance or resolution proposing to annex.

"If one half or more of those voting on the proposition shall vote in favor of annexing, then the City proposing to annex shall pass an ordinance declaring such City, or part

thereof, as the case may be, annexed, and such City, or part thereof, shall therefrom become a part of the City."

S. B. 157. An Act prohibiting cattle from running or trespassing on State and national parks, encampment grounds, scout camps and grounds dedicated to religious, educational and recreational purposes, and providing penalties therefor.

S. B. 52. An Act to amend paragraph eleven (11), Section 1938a, Chapter 57, and paragraph twenty-four (24), Section 1954c, Chapter 57a, Kentucky Statutes, Carroll's 1930 Edition, relating to open season and bag limit on quail or bobwhite, and license to hunt, and providing for statement of game birds and animals killed, by adding thereto the language as hereinafter set out.

H. B. 57. An Act to amend and re-enact Section one thousand, one hundred and nineteen of the Kentucky Statutes, providing for the payment of costs on changes of venue in criminal cases granted on the application of the Commonwealth, or the defendant, and providing that all the costs which would be borne by the county had the removal not been made, shall notwithstanding the removal be borne by said county from which the removal is made.

It was ordered that said bill be referred to the Committee on Judiciary.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section one thousand, one hundred and nineteen of Carroll's 1930 Kentucky Statutes be amended and re-enacted by striking therefrom the words, "the application of the Commonwealth all the costs of the removal shall be paid by the county from which the removal is had, in the same manner as other claims against the county from which the removal is had, in the same manner as other claims against the county

are paid," and by inserting in said section in lieu thereof, the words, "either party all the costs, both of removal, and the trial otherwise properly payable by the county from which the removal is had, shall be paid by the county from which the removal is had, just as if the said removal had never been had"; so that said section when amended shall read:

"Sec. 1119. Removal at instance of Commonwealth; costs to be paid by county.—If the change of venue is granted to or on the application of either party, all costs, both of the removal, and the trial otherwise properly payable by the county from which the removal is had, shall be paid by the county from which the removal is had, just as if the said removal had never been had.

Because of the many changes of venue being made in criminal proceedings from certain counties of the Commonwealth to other counties, and because of the unfairness in requiring the counties to which such changes of venue are made to bear the costs burdens of the counties where the causes of the prosecution occur, an emergency is hereby declared to exist, and this act shall be in effect on and after its passage and approval by the Governor, or upon the elapsing of ten days after its formal passage, provided the Governor shall not have approved or disapproved the same within said ten days.

H. B. 126. An Act to repeal, amend and re-enact Chapter 18 of Acts of General Assembly of 1924, being Section 1893-A, sub-sections 10, 11, 12 and 13, Carroll's Kentucky Statutes.

It was ordered that said bill be referred to the Committee on Appropriations.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It is lawful for and obligatory upon each county of

this State to contribute such sums of money as are hereinafter prescribed, from the charity or general funds of said county, toward the support of each blind person who may come within the provisions of this Act; and the State shall, in the manner hereinafter provided, reimburse each county for all money paid out in compliance with the provisions of this Act.

§ 2. Benefit for Blind.—That all persons over the age of 21 years, who are deprived of useful vision, in the manner hereinafter set forth, and who come within the provisions of this Act, shall receive as a benefit three hundred dollars ($300.00) per annum, each, payable quarterly, upon warrants properly drawn on the treasurer of the county of which such person or persons are residents.

§ 3. Who not entitled to provision of Act.—No person who is not a citizen of the United States, or who is a charge of any charitable institution of this State, or any county or city thereof, or who has an income of more than six hundred dollars ($600.00) per annum, or who is married and the total income of such person and spouse is one thousand dollars ($1,000.00) or more per annum, or who owns property, or has an interest in property to the value of five thousand dollars ($5,000.00), or more, or who has not resided within the State of Kentucky continuously for five (5) consecutive years, immediately before applying for said benefit, shall be entitled to the provisions of this Act.

§ 4. Duty of Fiscal Court to appoint Examiner of the Blind.—It is hereby made the duty of the Fiscal Court to appoint a regular practicing physician to examine all applicants for benefit, and to endorse on the application a certificate to each applicant, showing whether he or she is blind or deprived of useful vision. Said examining physician shall keep a register in which he shall enter the facts contained in each certificate. He shall be paid from the county treasury for his services the sum of two dollars ($2.00) for each applicant so examined.

§ 5. Applicants for Benefit.—Affidavits—Duty of County

Clerk.—All persons claiming the benefit provided herein may go before the county clerk of their respective counties, and make affidavit to the fact which bring him or her within the provisions of this Act, which shall be deemed an application for said benefit; two reputable citizens, residents of the county, shall be required to make affidavits to the fact that they have known said applicant to be a resident of the county; the county clerk shall immediately refer the application to the examining physician, for said county.

§ 6. Register to be kept by County Clerk—Must certify at each meeting to Fiscal Court—Time payment begins.—The county clerk shall register the name, address and number of applicant, and date of the examination of each of the applicants who have been so determined to be entitled to said benefit, at each meeting of the Fiscal Court; he shall certify to the Fiscal Court the name and residence of each applicant so determined by the examining physician to be entitled to said benefit, and such applicant shall be entitled to said benefit, subject to the approval of the Fiscal Court, from and after the first day of the months of February, May, August and November thereafter, to be provided for as set forth in Section 7 of this article.

§ 7. Duty of the Fiscal Court to provide for payment.—It is hereby made the duty of the Fiscal Court of each county to provide in the annual appropriation for the payment of persons so entitled to said benefit, who have complied with the provisions of this Act, and to cause warrants on the county treasury to be drawn, properly endorsed, payable to each of said persons in each county, each quarter in each year thereafter, during the life of said persons, while they are residents of said county or until said disability is removed. It is the further duty of the Fiscal Court to certify to the State Auditor an itemized statement of the sum of money paid out in accordance with the provisions of this Act during the last preceding fiscal year of the county; said certificate to be filed with the Auditor within ten days after the last day of the fiscal year of the county. Upon receipt of such certificate the auditor being satisfied with its correctness, shall draw his warrant

in favor of each county for the amount so certified by such county, upon the blind relief fund hereinafter provided for.

§ 8. State tax levy.—There shall be levied and collected each year, beginning with the year 1932, an annual tax of one-fifth of a mill on each dollar of the total equalized assessed value of all the taxable property in the State of Kentucky, for the purpose of creating a fund to be known as the "blind relief fund," out of which shall be paid the State's contribution to the blind hereinbefore provided. Said tax shall be collected in the same manner as provided for the collection of other taxes, and when collected shall be paid into the State treasury to the credit of the "blind relief fund," and disbursed only as herein provided. The fund shall be accumulative and any surplus for any one year shall be available for disbursement according to law for the next following year.

§ 9. Penalty for false affidavit.—Any person who shall make a false affidavit in order to secure the benefit herein provided, shall, upon conviction, be deemed guilty of perjury.

§ 10. County to contribute.—Until the special State tax provided for in Section 8 has been levied, collected and paid into the blind relief fund in the State treasury, it shall be the duty of each county to continue to contribute the sum of three hundred dollars ($300.00) to each blind person who comes within the provisions of this Act, until reimbursed by the State.

§ 11. All acts or parts of acts in conflict herewith, to the extent of such conflict, are hereby repealed.

A message was received from the House of Representatives announcing that they had adopted a resolution providing for the printing of fifty copies of the Governor's message for the use and information of the Senate; with an amendment thereto.

Said resolution reads as follows:

S. Res. 7. Be it enacted by the General Assembly of the

Commonwealth of Kentucky: That 50 copies of the message of the Governor of this Commonwealth to the General Assembly of 1932 be printed for the use of each member of the Senate and House of Representatives. The same are to be stamped and prepared for mailing.

Said amendment reads as follows:

The House has adopted a resolution which originated in the Senate, entitled: S. Res. 7. Resolution to authorize the printing of the Governor's message for the use of the members of the General Assembly.

With the following amendment thereto, viz.: Amend S. Res. 7 by striking out the word "stamped."

Senator Ragan moved that the Senate concur in the amendment to S. Res 7.

The question being taken thereon, it was decided in the affirmative.

Said resolution was amended.

The yeas and nays being ordered thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	D. C. Naive
W. W. Booles	Wm. Isaacs	Dr. G. W. Ragan
H. M. Brock	Alex E. Johnson	O. M. Rogers
Edwin C. Dawson	L. C. Littrell	J. M. Rose
Dr. T. J. Edge	Frank I. Lloyd	R. H. Royster
Walter N. Flippin	Rev. C. D. McCaw	Dr. Lewis Ryans
Chas. G. Franklin	Wm. Mehler	E. D. Stephenson
Perry B. Gaines	E. C. Moore	Sewell B. Williams
J. S. W. Holloway	Ray B. Moss	W. A. Yates

—27

CALENDAR

Senator Gates F. Young moved that the second reading of bills and resolutions at length be dispensed with and that they be read by their titles only.

Said motion was agreed to by a majority of the members elected.

It was ordered that the bills and resolutions be read by their titles only.

Said titles to bills are as follows:

H. B. 150. An Act requiring all vehicles traveling any highway, public road, or street, to carry lights or lanterns of sufficient brightness to show the outline of the left side of such vehicle, an amendment of Section 2739 G 24, Carroll's Edition of Kentucky Statutes, excepting therefrom wagons, buggies or slow moving vehicles or motorless vehicles, while traveling on roads, other than State and Federal or State roads and highways.

COMMITTEE REPORTS

Senator Franklin of the Committee on Motor Vehicles and Transportation, to which had been referred a bill of the following title:

S. B. 43. An Act to amend section 2739g-2 of Carroll's Kentucky Statutes, 1930 edition, relating to the registration and fees of automobiles and trucks, application to couny clerk and to bills of sale.

Reported with expression of opinion that same ought not to pass.

Senator Van Hoose moved that said bill be given its first reading.

The yeas and nays being required thereon, resulted as follows, viz.:

Those who voted in the affirmative were:

Walter N. Flippin	Marion F. Pogue	E. D. Stephenson
Wm. Isaacs	O. M. Rogers	Fred C. VanHoose
Frank I. Lloyd	J. M. Rose	F. M. White
Wm. Mehler	R. H. Royster	Gates F. Young
Ray B. Moss	Dr. Lewis Ryans	—14

Those who voted in the negative were:

Jas. H. Bondurant	J. S. W. Holloway	D. C. Naive
W. W. Booles	Robert Humphreys	Dr. G. W. Ragan
Edwin C. Dawson	Silas Jacobs	Joe Stewart
Chas. G. Franklin	Alex E. Johnson	
Perry B. Gaines	E. C. Moore	—13

Said motion was lost according to the rules of the Senate which requires two-thirds of the members elected to give reading.

Senator Franklin of the Committee on Motor Vehicles and Transportation, to which had been referred a bill of the following title:

S. B. 335. An Act relating to motor vehicles; providing for the repeal, amendment and re-enactment of sub-section (f) of Section 10 of Chapter 90 of the Acts of the General Assembly of 1920.

Reported with expression of opinion that same ought not to pass.

Therefore said bill was refused its reading.

Senator Franklin of the Committee on Motor Vehicles and Transportation, to which had been referred a bill of the following title:

S. B. 212. An Act to make it compulsory for the owners of all trucks used for the purpose of hauling live stock, in the Commonwealth of Kentucky, to have the name of the owner

or owners of said trucks painted on both sides and on the rear of said trucks, in letters five inches high and providing a penalty for the violation thereof.

Reported with expression of opinion that same ought not to pass.

Senator Stephenson moved that said bill be given its first reading.

The yeas and nays being ordered thereon, said motion was lost, according to the rules of the Senate which requires two-thirds of the members elected to give reading.

Those who voted in the affirmative were:

H. M. Brock	Alex E. Johnson	Dr. Lewis Ryans
Dr. T. J. Edge	Frank I. Lloyd	E. D. Stephenson
Walter N. Flippin	Rev. C. D. McCaw	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	F. M. White
Arch Hamilton	Dr. G. W. Ragan	Sewell B. Williams
Robert Humphreys	O. M. Rogers	W. A. Yates
Wm. Isaacs	J. M. Rose	Gates F. Young
Silas Jacobs	R. H. Royster	—23

Those who voted in the negative were:

Jas. H. Bondurant	Wm. Mehler	Joe Stewart
W. W. Booles	E. C. Moore	Fred C. VanHoose
Chas. G. Franklin	D. C. Naive	
J. S. W. Holloway	Marion F. Pogue	—10

Senator Franklin of the Committee on Motor Vehicles and Transportation, to which had been referred a bill of the following title:

S. B. 366. An Act for the relief of Taxi operators and giving to them the right to pick up passengers on any highway in the Commonwealth of Kentucky when returning from a specified trip or point to which they have conveyed any passengers or made any trips.

Reported with expression of opinion that same ought not to pass.

Therefore said bill was refused its first reading.

Senator Franklin of the Committee on Motor Vehicles and Transportation, to which had been referred a bill of the following title:

S. B. 92. An Act providing for the licensing of drivers of motor vehicles upon the highways of this Commonwealth, providing for the issuing and revocation of same, the recording of motor vehicle offenses, fixing the amount of said license, and providing penalties for violations.

Reported with expression of opinion that same ought to pass.

Senator Ragan of the Committee on Public Health, to which had been referred a bill of the following title:

H. B. 162. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky. Passed March, 1912.

Reported with expression of opinion that same ought to pass.

Senator Rogers of the Committee on Education to which had been referred a bill of the following title:

S. B. 176. An Act to repeal Chapter 36 of the Acts of the General Assembly of the Commonwealth of Kentucky of one thousand nine hundred and thirty entitled "An Act relating to education in this Commonwealth and appropriating money from the general fund of the treasury of the Commonwealth to be used for educational purposes in connection with the public school system of this Commonwealth and conferring authority and power upon the State Board of Education to supervise and administer the expenditure of money so appro-

priated, defining the purpose for which the money so appropriated shall be used, and providing conditions upon which it shall be received; and generally to provide for a more efficient system of public schools in this Commonwealth."

Reported with expression of opinion that same ought to pass.

Senator Booles of the Committee on Revenue and Taxation, to which had been referred a bill of the following title:

H. B. 52. An Act to repeal and re-enact Section 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

Reported with expression of opinion that same ought to pass.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 33. An Act to amend and re-enact Section 965-35, Kentucky Statutes, 1930 Carroll's Edition as amended by Chapter 29, 1930, Acts of the General Assembly of the Commonwealth of Kentucky, relating to circuits and fixing the time for holding court in the 35th Judicial District of the Commonwealth of Kentucky, composed of Pike and Letcher Counties, and declaring an emergency.

Said bill reads as follows

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 965-35, Kentucky Statutes, 1930, Carroll's Edition, as amended by Chapter 29, of Acts 1930, session of the General Assembly of the Commonwealth of Kentucky, be and the same is amended, and as amended shall read as follows:

That a circuit court shall be held in Pike County, as follows: At Pikeville, Kentucky, beginning on the fourth (4th) Monday in February, and continuing for eighteen (18) juridical days; beginning on the first Monday in April and continuing for twenty-four (24) juridical days; beginning on the second Monday in June and continuing for eighteen (18) juridical days; beginning on the second Monday in July and continuing for eighteen (18) juridical days; beginning on the first Monday in October and continuing for eighteen (18) juridical days; and beginning on the second Monday in November and continuing for twenty-four (24) juridical days.

§ 2. That a circuit court shall be held in Letcher County as follows: At Whitesburg, Kentucky, beginning third Monday in January and continuing for twenty-four (24) juridical days; beginning second Monday in May and continuing twenty-four (24) juridical days; and beginning fourth Monday in August and continuing twenty-four (24) juridical days.

§ 3. Whereas the docket of the 35th Judicial District is congested an emergency is hereby declared to exist and this act shall become effective upon its passage and approval by the Governor.

§ 4. All acts and parts of acts in conflict herewith are hereby repealed.

Senator Stephenson proposed the following amendment to said bill.

Amend Senate Bill No. 33 by striking out lines five, six, seven, eight, nine and ten, eleven, twelve, thirteen and fourteen, in Section One, and the whole of Section Two of said Bill, and substituting in lieu thereof the following:

Letcher County, at Whitesburg; beginning on the second Monday in January, and continuing 24 juridical days; beginning on the second Monday in April and continuing 24 juridical days; beginning on the second Monday in August

and continuing 18 juridical days; and beginning on the first Monday in October and continuing 24 juridical days.

Pike County, at Pikeville; beginning on the second Monday in February, and continuing 18 juridical days; beginning on the second Monday in March, and continuing 24 juridical days; beginning on the second Monday in May, and continuing 18 juridical days; beginning on the second Monday in June, and continuing 24 juridical days; beginning on the first Monday in September and continuing 18 juridical days; and beginning on the second Monday in November and continuing 24 juridical days.

Senator Stephenson moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Ordered that said bill be read the third time.

Senator Stephenson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	L. C. Littrell	Dr. Lewis Ryans
W. W. Booles	Frank I. Lloyd	E. D. Stephenson
H. M. Brock	Wm. Mehler	Thos. O. Turner
Edwin C. Dawson	E. C. Moore	Fred C. VanHoose
Walter N. Flippin	Ray B. Moss	F. M. White
Perry B. Gaines	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young
Wm. Isaacs	O. M. Rogers	
Alex E. Johnson	J. M. Rose	—28

Resolved that the title thereof be as aforesaid.

Senator Stephenson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 30. An Act to repeal and re-enact Section No. 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

Senator Stewart moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 145. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky. Passed March 1912.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and further providing for definitions of terms used, enforcement of and penalty for violation of this act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of three hundred dollars or less, secured or unsecured, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest, discount, consideration, or charge than six per centum per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars or less, providing for the administration of this act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and findings of the banking Commissioner under this act, and repealing so much of Section 4224A, Carroll's Kentucky Statutes, 1930, as applies to persons licensed under this act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes, 1930, and

repealing all acts and parts of acts in conflict with the provisions of this act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 154. An Act authorizing cities of the fourth and fifth classes to provide insurance or maintenance for arresting officers, who may sustain injury, in discharge of official duty, which incapacitates such officer; and support for widows and orphans of such officers who lose their lives in discharge of official duty, and provide funds and taxes therefor, and procedure for securing same and determining amounts to be paid; and for trials, and appeals concerning same.

Senator Moss moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled.

S. B. 151. An Act relating to the safe development and operating of minerals; providing regulations for the location of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells; defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith.

Senator Stephenson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 220. An Act granting members of Fraternal Benefit Societies the right to designate certain beneficiaries to receive the payment of death benefits; exempting certain Societies from the provisions of the Act; and amending Sections 681c-6 and 681c-29 of Carroll's Kentucky Statutes; and repealing said sections and all laws and parts of law in conflict herewith.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 213. An Act to promote safety in places of employment, elevators, boilers and pressure vessels, creating a Kentucky Industrial Safety Board in the Department of Labor, providing for the appointment and qualifications of members thereof, and defining its powers and duties; providing that the chief officer of the Department of Labor shall be the secretary and administrative officer of said Board, prescribing the duties of said secretary, and said duties of said secretary, and providing that he shall perform said duties without additional compensation; authorizing the employment of necessary employees; and making an appropriation for the administration of this Act; and providing penalties for the violation thereof; and providing the payment of certain fees for inspection of boilers, and for enforcing payment thereof by actions in the Franklin Circuit Court, and further providing for variations in and for review of the rules and orders of said Board and for Appeals therefrom.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 200. An Act defining plumbing, master plumber and journeyman plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to qualified registered master plumbers and registered journeyman plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky; and also granting to the State Board of Health of Kentucky the power to adopt and promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating the kind of materials and fixtures including supply pipes, waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this Act and providing penalties for violation of the provisions of this Act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Defining Plumbing, Master Plumber and Journeyman Plumber. Plumbing is the art of installing in buildings the pipes for distributing the water supply, the fixtures for using water, and drainage pipes for removing waste water and sewerage, together with fittings and appurtenances of various kinds all within or adjacent to the building and including also the "service pipe" which forms the connection between the shut-off valve and curb line and the building, and the "house sewer" which conveys the waste water and

sewage from the building to the street sewer or other point of disposal, including private sewage disposal contraptions or other methods and also includes storm or rain water pipings, if same is discharged through or connected with house sewer or house drain. In order to safeguard life, health and property, any person, firm or corporation engaged in or working at the business of plumbing, either as a master plumber or a journeyman plumber, in counties containing cities of the first and second class of this Commonwealth, shall hereafter be required to submit evidence that he or she is qualified and shall be required to register, as hereinafter provided.

A master plumber is hereby defined to be a person who assumes responsible charge and direction of other persons in the installation of plumbing and drainage and is skilled in the planning, superintending and the practical installation of plumbing and drainage.

A journeyman plumber is hereby defined to be a person who performs the work of installing plumbing and drainage under the direction of a master plumber.

Any person who assumes responsible charge and direction of other persons in the installation of plumbing and drainage, and who employs for gain or reward a person not registered, as provided herein, to perform and install plumbing and drainage, shall be guilty of violating the provisions of this Act and shall be punishable under the terms thereof. Provided, however, the provisions of this Act shall not apply to anyone who is employed as or acting as a maintenance man by any person, firm or corporation, and who does not practice as his principal trade of business the occupation of a journeyman plumber; and, provided further, the provisions of this Act shall not apply to persons employed by any water company in the laying, maintenance and operations of its water mains and other appurtenances in the conduct of its business.

§ 2. For the purpose of carrying out the provisions of

this Act and for the purpose of enforcing all of its provisions, the State Board of Health of Kentucky shall have jurisdiction, with power to issue and revoke certificates, as herein provided, conduct and hold examinations as herein provided, to make all the necessary rules and regulations for conducting the examination of applicants and governing the method and time for filing applications for examinations and the time within which an applicant must be examined after his application has been filed, and shall have the power to adopt all other reasonable rules and regulations not inconsistent herewith, as may be necessary to carry into effect the objects and purposes of this Act.

For the purpose of conducting the examination or examinations for persons to qualify as a registered master plumber or as a registered journeyman plumber under the provisions of this Act, the State Board of Health of Kentucky shall appoint as such examiners for such examination or examinations, the following persons: The State Health Officer, the State Sanitary Engineer and three other persons, all of whom shall be registered, under the provisions of this Act, either as a master plumber or a journeyman plumber. Provided, however, that one of said persons shall be a registered master plumber and one of said persons shall be a registered journeyman plumber.

For the purpose of defraying the expense of such examination or examinations, and other expenses incident to the operation of this Act, the following fees shall be paid to the State Board of Health of Kentucky:

(a) By an applicant for an examination to determine his fitness to receive a certificate of registration as a master plumber, twenty-five ($25.00) dollars.

(b) By an applicant for a certificate of registration as a master plumber, twenty-five ($25.00) dollars.

(c) By an applicant for an examination to determine his

fitness to receive his certificate as a registered journeyman plumber, five ($5.00) dollars.

(d) By an applicant for a certificate of registration as a journeyman plumber, five ($5.00) dollars.

(e) By an applicant for the annual renewal of the certificate as a registered master plumber, ten ($10.00) dollars.

(f) By an applicant for the annual renewal of the certificate as a registered journeyman plumber, three ($3.00) dollars.

All of the above fees must accompany the application, and no part of said fees shall be refunded.

An applicant failing to receive a certificate upon his first application, or an applicant who fails to pass his first examination, shall be entitled to enter any examination held within six months from the date of his failure to procure a certificate, as provided for in this Act, without the payment of any additional fee.

§ 3. The State Board of Health of Kentucky, for the purpose of carrying out the provisions of this Act, shall establish, adopt, promulgate and put into effect a code regulating the installation of plumbing, house drainage and sewerage and sewage disposal, using as a minimum the basic principles adopted by the sub-committee on plumbing of the Building Code Committee of the United States, Department of Commerce, as shown in the final report of said committee under date of July 3, 1923, with such additions as local, climatic and other conditions may require, and also to fix reasonable fees for the purpose of carrying into effect the provisions of this Act.

§ 4. MATERIALS—Kind That May Be Used. The use of all unsafe and defective material in the work of plumbing and drainage is prohibited. Only the best known methods of

installing of materials and fixtures, including supply pipes, waste, ventilation, soil pipe and sewerage shall be employed. It shall be unlawful to use in the work aforesaid light lead pipe, bends and traps, and all combination lead and iron or combination lead and brass ferrules, bends or traps; but there shall be employed only the best known methods of joining lead or iron pipes by the use of heavy cast brass ferrules properly wiped with solder to lead.

§ 5. Persons to Whom Certificates As Registered Master Plumbers or Registered Journeyman Plumbers Are to be Issued. The State Board of Health of Kentucky, upon application of any person who is a citizen of the United States and at least twenty-one (21) years of age, shall issue a certificate as a registered master plumber or a registered journeyman plumber without examination to any of the following:

(a) Any person, firm or corporation who furnishes the proper evidence that he or she were known as a master plumber and practiced as a master plumber as his or her principal vocation within counties containing cities of the first and second class of the Commonwealth of Kentucky at the time that this Act became a law, for at least five (5) years prior thereto and who applies for such certificate within six (6) months after the passage of this Act and its approval by the Governor.

(b) Any person who furnishes the proper evidence that he or she were known as journeyman plumbers and practiced as journeyman as his or her principal vocation within counties containing cities of the first and second class of the Commonwealth of Kentucky at the time that this Act became a law, for at least six (6) years prior thereto and who applies for such certificate within six (6) months after the passage of this Act and its approval by the Governor.

(c) Any person who furnishes the proper evidence that he or she now holds a license as a journeyman plumber, or who is a registered journeyman plumber and has passed the

examination of any plumbing board of examiners for journeyman plumbers provided for under the laws of this State, and who applies for a certificate as a journeyman plumber within six (6) months after the passage of this Act and its approval by the Governor.

(d) Any applicant not possessing the qualifications as hereinabove set forth, who desires to become a registered master plumber or a registered journeyman plumber under the provisions of this Act, shall satisfactorily pass an examination designed to test applicant's practicability and technical knowledge of plumbing work, ventilation, water supply, etc.—provided such applicant is a citizen of the United States and at least twenty-one (21) years of age.

§ 6. Who May Be Styled as Registered Master Plumber or Registered Journeyman Plumber. Any person having a certificate pursuant to the requirements of this Act may be styled or known as a registered master plumber or a registered journeyman plumber.

§ 7. No Person Shall Assume the Title of Master Plumber or Journeyman Plumber Unless Application For Certificate Has Been Applied For. No person, firm or corporation presumed to have the right to secure such certificate because of his or her use of the title "Master Plumber" or "Journeyman Plumber" prior to the time this Act goes into effect, shall assume any title indicating that he or she is a master plumber or journeyman plumber, or any words, letters or figures to indicate that the person using them is a master plumber or a journeyman plumber, unless he or she shall have qualified and obtained a certificate of registration as a master plumber or journeyman plumber, as provided for in this Act, or stated his or her intention in writing to the State Board of Health to apply for certificate within six (6) months after the passage of this Act and its approval by the Governor.

§ 8. A Corporation or a Partnership May Engage in the

Business of Plumbing. A corporation or a partnership or an individual principal may engage in the business of plumbing within counties containing cities of the first and second class in this State, provided a person or persons connected with such corporation or partnership or individual principal in responsible charge of such plumbing work is or are registered as herein required of master plumbers, or is or are otherwise authorized to practice. The same exemption shall apply to corporations and partnerships as apply to individuals under this Act.

It shall be the duty of any person who is a registered master plumber who is in responsible charge of such plumbing work for the corporation, partnership or individual principal, engaged in the plumbing business, for such person to notify the State Board of Health when such person severs his connection with the said corporation, partnership or individual principal.

§ 9. Any municipality in this Commonwealth included under the terms of this Act which shall adopt the code promulgated by the State Board of Health of the Commonwealth of Kentucky for plumbing hereinabove set forth through municipal ordinances regulating the installation of plumbing, shall have the right to appoint a municipal plumbing inspector and a deputy plumbing inspector; said municipal inspection and deputy municipal inspectors shall have concurrent jurisdiction with the county plumbing inspector within the boundaries of the municipality in the enforcement of the provisions of this Act; provided, however, that at the time of their appointments the said municipal plumbing inspector and deputy municipal plumbing inspectors are either registered master plumbers, under provisions of this Act, or are registered journeyman plumbers under any law of this Commonwealth regulating the registration of journeyman plumbers or any municipal ordinance passed thereunder. No provisions of this Act shall deprive cities of the first or second class from collecting its occupational license fees on either master or journeyman plumbers, or from the collection of

fees for the issuance of permits for the installation of plumbing fixtures.

§ 10. For the purpose of carrying out the provisions of this Act, the State Board of Health of Kentucky shall appoint for counties containing cities of the first and second class in this Commonwealth, a County Plumbing Inspector; also the State Board of Health of Kentucky may appoint such Deputy County Plumbing Inspectors as it may deem necessary to carry out the provisions of this Act. Such County Plumbing Inspector and Deputy County Plumbing Inspector or Inspectors shall have at least ten (10) years' experience as a journeyman plumber, or has had five (5) years' experience as a journeyman plumber, and five (5) years' experience as a master plumber, or who has had ten (10) years' experience either as a journeyman plumber and a master plumber. Provided, however, that such person must have had five (5) years' experience as a journeyman plumber and who, at the time of his appointment, is either a registered master plumber or a registered journeyman plumber, under the provisions of this Act. The salary of said County Plumbing Inspector and the deputy or deputies shall be fixed by the State Board of Health at the time of or immediately after his or their appointment.

§ 11. Penalties for Violating the Provisions of the Act. Any person, firm or corporation on violating any of the provisions of this Act, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than ten ($10.00) dollars, nor more than one hundred ($100.00) dollars, or imprisonment in the county jail for a period of not more than ninety (90) days, or both so fined and imprisoned, in the discretion of the court or jury.

§ 12. If any clause, sentence, paragraph, or part of this Act shall for any reason, be adjudged by any court of competent jurisdiction to be invalid, said judgment shall not affect, impair or invalidate the remainder of said Act, but shall be confined in its operation to the clause, paragraph or

part thereof directly involved in the controversy in which said judgment shall have been rendered.

§ 13. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Ordered that said bill be read the third time.

Senator Rogers moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	Rev. C. D. McCaw	R. H. Royster
H. M. Brock	Wm. Mehler	Dr. Lewis Ryans
Perry B. Gaines	E. C. Moore	E. D. Stephenson
Arch Hamilton	Ray B. Moss	Fred C. VanHoose
Alex E. Johnson	Dr. G. W. Ragan	W. A. Yates
L. C. Littrell	O. M. Rogers	
Frank I. Lloyd	J. M. Rose	—19

Those who voted in the negative were:

Walter N. Flippin	D. C. Naive	Sewell B. Williams
Wm. Isaacs	Joe Stewart	
Silas Jacobs	F. M. White	—7

Resolved that the title thereof be as aforesaid.

Senator Rogers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 223. An Act to amend Section 192 of the present Constitution of the Commonwealth of Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That upon the concurrence of three-fifths of all the members elected to each House of the General Assembly, the yeas and nays being taken thereon and entered in full in their respective journals:

First: That Section 192 of the Constitution of the Commonwealth of Kentucky be and it is hereby amended and revised by adding at the end of said Section 192 as originally adopted the following words:

But provided that when it shall be necessary for any corporation, in order to protect itself against loss, to take title to any real estate in satisfaction of any debt previously contracted by it in the course of its business or as an investment of its funds, either by conveyance from the maker of such debt or in satisfaction of, or at sale under, any judgment thereon in its favor, such corporation may hold title to the real estate so acquired by it, until such time as it may dispose of such real estate without loss to it, but in no event to exceed ten years.

So that said section of the Constitution as amended shall

read as follows: No corporation shall engage in business other than that expressly authorized by its charter, or the law under which it may have been or hereafter may be organized, nor shall it hold any real estate, except such as may be proper and necessary for carrying on its legitimate business, for a longer period than five years, under penalty of escheat; but provided that when it shall be necessary for any corporation, in order to protect itself against loss, to take title to any real estate in satisfaction of any debt previously contracted by it in the course of its business or as an investment of its funds, either by conveyance from the maker of such debt or in satisfaction of, or at sale under, any judgment thereon in its favor, such corporation may hold title to the real estate so acquired by it, until such time as it may dispose of such real estate, without loss to it, but in no event to exceed ten years.

Second: This amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under Sections 256 and 257 of the Constitution of Kentucky and under Section 1459 of the edition of the Kentucky Statutes known as and styled Carroll's Kentucky Statutes, Official Edition, Revised to 1930.

Ordered that said bill be read the third time.

Senator Hamilton moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	Alex E. Johnson	R. H. Royster
Edwin C. Dawson	L. C. Littrell	Dr. Lewis Ryans
Walter N. Flippin	Frank I. Lloyd	E. D. Stephenson
Perry B. Gaines	Wm. Mehler	Joe Stewart
Arch Hamilton	E. C. Moore	Thos. O. Turner
J. S. W. Holloway	Ray B. Moss	Sewell B. Williams
Robert Humphreys	Marion F. Pogue	Gates F. Young

—27

Resolved that the title thereof be as aforesaid.

Senator Hamilton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 120. An Act relating to fees, providing for the repeal, amendment, and re-enactment of Section 1748 of Carroll's Kentucky Statutes, 1930 Edition, Article XIV, Assistant Secretary of State.

Senator McCaw moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 36. An Act relating to the licensing of the business or occupation of contracting painting or decorating, in cities of the first and second class and requiring such contracting

painter or decorator to obtain permits from said city and making it the duty of said city to issue permits before doing any painting or decorating and providing penalties for the violation of said Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 97. An Act to provide for making and preserving plats of boundaries of cities and taxing districts.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 179. An Act enabling cities of the third class to acquire, construct, operate and maintain electric light, heat and power plants and to issue revenue bonds of such cities to pay the cost thereof, payable solely from the revenue of such works without the incurrence of indebtedness of said cities.

Senator Gates F. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 40. An Act to amend Section 561 of Carroll's Ken-

tucky Statutes, 1930 Edition, relating to termination of existence of corporations, and how the same is effected.

Senator Ryans moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 336. An Act to amend and re-enact Subsection 2a of Section 938e of Carroll's Kentucky Statutes, 1930 Edition, authorizing the County Board of Health in counties embracing cities of the fifth class to contract for hospital facilities and providing for a county levy therefor, so as to extend the provisions of said subsection to counties having a city or cities of the fourth class.

Senator Ragan moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 202. An Act relating to Game and Fish Commission, amending and re-enacting Sections 1 and 2 of Chapter 53, and repealing Section 3 of Chapter 53, of the Acts of the General Assembly of 1930.

Senator Yates moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

ENROLLMENT REPORT

Senator Stewart, of the Committee on Enrollment, re-

ported that they had examined and found correctly enrolled, bills and resolutions which originated in the Senate, of the following titles:

S. B. 34. An Act to amend Section two thousand three hundred eight (2308), Subsection thirty-four (34), Baldwin's Revision of Carroll's Kentucky Statutes (1930), being Chapter 114 of the Acts of the General Assembly of the Commonwealth of Kentucky at its session of 1918, relating to the issue of drainage bonds and the nature and payment of same, by providing for the issue of renewal or refunding bonds, the manner of issuing same and the nature and payment thereof.

H. B. 111. An Act to define oleomargarine and to prescribe regulations to govern the manufacture, storage and sale thereof; to provide for the issuance of license to the manufacturers and vendors thereof on payment of fees therefor; and for revocation of such license for violations of this Act; to provide a privilege tax on sales of oleomargarine; to provide for the enforcement of the provisions of this Act by the State Tax Commission and its agents; and declaring a violation of this Act to be a misdemeanor and providing punishment therefor, and authorizing the State Tax Commission to make rules and regulations to carry into effect this Act, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency to exist.

Whereupon all other business was suspended; said bills and resolutions were read at length and compared in open Senate, and were found to be correctly enrolled. Thereupon, the President of the Senate, in open session, in the presence of the Senate, affixed his signature to said bills and resolutions.

Ordered that the Enrolling Clerk deliver said bills and resolutions to the House of Representatives.

After a time the Enrolling Clerk delivered the original and enrolled bills and resolutions which originated in the Senate, to the Clerk.

Ordered that the Clerk deliver the enrolled bills and resolutions which originated in the Senate, and which had been signed by the presiding officers of the Senate and House of Representatives, to the Governor.

After a time, the Clerk reported that he had performed that duty.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 57. An Act to repeal and re-enact Section 2290-B, Carroll's Kentucky Statutes, addition the same being Chapter 123 of the Acts of the General Assembly of 1910, providing that eight (8) hours shall constitute a day for laborers and mechanics employed on all public works in this Commonwealth. And providing for the enforcement of and penalties for violation thereof.

Senator Rose moved that said bill be recommitted to the Committee on Labor and Manufacturing, with leave to report at any time.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 172. An Act defining plumbing, master plumbers and journeyman plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to qualified registered master plumbers and registered journeyman plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky; and also granting to the State Board of Health of Kentucky the power to adopt and

promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating the kind of materials and fixtures including supply pipes, waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this Act and providing penalties for violation of the provisions of this Act.

Senator Rogers moved that said bill be recommitted to the Committee on Municipalities, and that H. B. 200 be substituted therefor.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

Senator Holloway moved that the Senate recess until 1 o'clock P. M.

Said motion was agreed to.

The Senate reconvened at 1 o'clock P. M.

Senator Moss moved that the privileges of the floor be extended to Chas. Hoge.

Said motion was agreed to.

Senator Ferguson moved that the privileges of the floor be extended to Mrs. Dan White, Mrs. Earl Martin, Hon. V. R. Logan, Judge R. A. Logan and Mr. Eugene Morris of Bowling Green.

Said motion was agreed to.

Senator Moss moved that the privileges of the floor be extended to Messrs. Chas. A. Chandler, Lee B. McHargin and James Williams of London.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Mr. Chas. Nelson of Elizabethtown.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Mr. and Mrs. Walter Brunder.

Said motion was agreed to.

Senator Johnson moved that Helen Richardson be made honorary page.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 152. An Act to repeal Chapter 13 of the Acts of the General Assembly of 1912, same being Sections 4398a-1, 4398a-2, 4398a-3, 4398a-4, 4398a-5, Carroll's 1922 Edition Kentucky Statutes, relating to the inspection of school funds and authorizing the State Superintendent of Public Instruction to act as Special State Inspector and Examiner of all schools in cities, towns and counties receiving funds directly or indirectly from the State or said cities, towns or counties, and to amend and re-enact Section 4623, Carroll's 1922 Edition Kentucky Statutes by adding thereto the following words, to-wit: "It shall be the duty of said State Inspector once each year to inspect and examine into the fiscal management and conduct of the office of all school officials, whose duty it is to receive, handle or disburse the public school funds of the State or any city, town, county or taxing district, and to make a written report to the Governor and also to the Commonwealth Attorney and County Attorney of the county or district where such inspection is made."

Senator Williams moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

Senator Williams moved to have said substitute bill printed.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 107. An Act relating to jailers and providing for the consolidation of the office of jailer with that of the sheriff, providing that the duties of the jailers in each county of the Commonwealth of Kentucky shall be performed by the sheriff of the county, and providing for compensation for the sheriff for performing his duties as jailer of each county of the Commonwealth of Kentucky, and providing for the dieting of prisoners confined in the county jail in each county of the Commonwealth of Kentucky; and repealing Section 1730, Section 2231 and Section 2232, Carroll's Kentucky Statutes, 1930 Edition.

The Committee proposed the following amendments to said bill:

Amend Senate Bill No. 107 by adding after line 11 of Section 4 thereof the following:

Section 5. The provisions of this Act shall not apply to counties with seventy-five thousand population and over.

Amend Senate Bill No. 107 and line 1 of Section 5 thereof by striking out the figure 5 and substituting in lieu thereof the figure 6.

Amend Senate Bill No. 107, and line 1 of Section 6 by

striking out the figure 6 and substituting in lieu thereof the figure 7.

Senator Stephenson moved the adoption of said amendments.

The question being taken thereon was decided in the affirmative and

Said amendments were adopted.

Senator Stephenson proposed the following amendment by the way of a substitute therefor:

Amend Senate Bill No. 107, by way of substitute therefor as follows:

An Act relating to jailers and providing for the consolidation of the office of jailer with the office of sheriff in all counties of the State, except counties containing cities of the first class, and amending and re-enacting Section 1730, Carroll's Kentucky Statutes, 1930 Edition.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the office of jailer hereby is consolidated with the office of sheriff in all counties of the Commonwealth of Kentucky, except counties containing cities of the first class. The sheriff in all counties, except counties containing cities of the first class, shall by virtue of his office be the jailer of the county and shall perform all of the duties of jailer as provided by law.

§ 2. That Section 1730, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted, and as amended and re-enacted shall read as follows:

The fees of the jailers shall be as follows:

For attending county and quarterly courts, to be paid out of the county levy, not exceeding two ($2.00) dollars per day.

For furnishing fuel and lights to the county and quarterly courts, a reasonable compensation, not exceeding two ($2.00) dollars per day, to be paid out of the county levy.

For putting a prisoner in irons, for an offense other than a felony or contempt besides the cost of irons the sum of fifty (50c) cents to be paid out of the county levy.

For keeping and dieting prisoners in jail, when confined for an offense other than a felony or contempt of court the sum of fifty (50c) cents per day, to be paid out of the county levy, unless confined for a breach of the by-laws or ordinances of a city or town, or for the violation of a statute where the city or town gets the benefit of the fine, and in that case to be paid by such city or town.

For imprisoning and releasing a prisoner charged with a misdemeanor, fifty (50c) cents, to be paid out of the county levy, unless confined for a breach of the by-laws or ordinances of a city or town, or for the violation of a statute, where the city or town gets the benefit of the fine, and in that case to be paid by such city or town. And for imprisoning and releasing a prisoner charged with a felony, the sum of fifty (50c) cents, to be paid out of the State Treasury. For all other services performed by him the same fees as paid sheriff.

§ 3. All Acts and parts of Acts in conflict herewith are hereby repealed.

Senator Stephenson moved that said substitute bill be adopted.

The question being taken thereon, was decided in the affirmative by a majority of members elected.

Said substitute was adopted.

Senator Stephenson moved that said bill be recommitted to the Committee on Kentucky Statutes No. 2, with leave to report at any time.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 313. An Act to define the duties of the County Surveyor in counties containing more than 200,000 population, and to provide compensation for them.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties of this Commonwealth containing a population of over 200,000, that all work in the surveying and civil engineering profession under the control and jurisdiction of the several courts in such counties, including the Fiscal Court, such as the surveying, locating and superintending and construction of roads, bridges, canals, levees and ditches that are built by taxation, and drawing plans and specifications of all public road, bridge, canal, levee and ditch work shall be done by the County Surveyor.

§ 2. That compensation for the County Surveyor for the work named in Section 1 of this Act shall be as follows:

He shall be paid a sum not less than five thousand ($5,000.00) dollars per year for superintending any public improvement as set out in Section 1 of this Act, constructed during his term of office, exclusive of the salaries of all assistants required by him.

The compensation or salary of the County Surveyor shall be allowed and appropriated by the Fiscal Court to be paid out of the county levy.

§ 3. The County Surveyor may be allowed such assistants as may be necessary, to be appointed by the County Surveyor.

§ 4. The County Surveyor in counties having cities of the first class shall employ such agent or agents and day laborers in the different road precincts or districts or divisions of the county to carry out the provisions of this Act, and may summarily discharge such employees at pleasure; such employees shall perform service upon the public roads of the county in whatever station employed, according the direction and in the manner prescribed by the Fiscal Court or County Surveyor. Such employees shall receive such compensation per day as may be allowed by the Fiscal Court provided that every able bodied man employed to do manual or day labor under the provisions of this Act on the public roads shall receive the prevailing wages of the vicinity in which the work is to be done, and such wages shall be certified by the County Surveyor and approved by the Fiscal Court, provided that a day's labor shall consist of not less than eight (8) hours of actual work.

§ 5. All laws and parts of laws in conflict with this Act are hereby repealed.

§ 6. Owing to the lateness of the season and the necessity of arranging the details of road work in counties of more than 200,000 population an emergency is declared to exist and this Act shall take effect upon its passage by the General Assembly of the Commonwealth of Kentucky and approval by the Governor.

Ordered that said bill be read the third time.

Senator Lloyd moved that the third reading of said bill

at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
W. W. Booles	Alex E. Johnson	J. M. Rose
H. M. Brock	Frank I. Lloyd	R. H. Royster
Edwin C. Dawson	Rev. C. D. McCaw	Dr. Lewis Ryans
Dr. T. J. Edge	Wm. Mehler	E. D. Stephenson
Thos. C. Ferguson	E. C. Moore	Joe Stewart
Walter N. Flippin	Ray B. Moss	Fred C. VanHoose
Chas. G. Franklin	D. C. Naive	F. M. White
J. S. W. Holloway	Marion F. Pogue	W. A. Yates
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young

—30

Resolved that the title thereof be as aforesaid.

Senator Lloyd moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a resolution entitled:

S. Res. 24. Joint resolution of the General Assembly of Kentucky to provide for the appointment of a commission to

suggest amendments to the Constitution of Kentucky; to prescribe the powers and duties of said commission; to appropriate $10,000 to carry out the purposes of this Act.

Said resolution reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and hereby is appointed a commission in the manner hereinafter prescribed to suggest amendments to the Constitution of Kentucky, which commission shall have the powers and duties hereinafter specified.

§ 2. The commission aforesaid shall consist of twelve (12) qualified members, to be elected and appointed by the Governor, and at its first meeting shall elect one of its number chairman, and another secretary, and the Governor shall have power to fill vacancies in its membership.

§ 3. The commission aforesaid shall study the Constitution of Kentucky and propose in detail such revision of the same as they may be of the opinion will be for the best interest of the Commonwealth. The report of the commission shall be made to the General Assembly at a session to be called by the Governor, and shall show in detail every change or amendment suggested with amplified reason for the same. The report shall be published at public expense by not later than September 30, 1932, and a copy thereof sent to each member-elect of the Senate and of the House of Representatives before the convening of the next session of the General Assembly.

§ 4. The commission shall hold its meetings in the State of Kentucky at such places and times as are suitable to it and each member thereof shall be entitled to his necessary traveling expense to and from such meetings.

§ 5. The commission aforesaid shall have authority to

employ a clerk and all other necessary assistants, technical as well as clerical, and fix their compensation. All printing shall be done by the public printer and paid for out of the funds hereinafter appropriated.

§ 6. For the purpose of carrying out the provisions of this resolution, there is hereby appropriated out of the general fund in the State Treasury, not otherwise appropriated, the sum of ten thousand dollars ($10,000). The same shall be paid by the Treasurer of Kentucky upon warrants of the Auditor of Public Accounts, issued on vouchers signed by the chairman of the commission and countersigned by its secretary.

§ 7. This Joint Resolution shall be known as the Chandler Resolution. Whereby it is necessary that the commission shall begin its work as soon as practicable and have immediate use of said funds,

Therefore, an emergency is hereby declared to exist and this Joint Resolution shall take effect from and after its passage and approval by the Governor.

Ordered that said bill be read the third time.

Senator Gates F. Young moved that the third reading of said resolution at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	Dr. G. W. Ragan
W. W. Booles	Alex E. Johnson	O. M. Rogers
H. M. Brock	Frank I. Lloyd	R. H. Royster
Edwin C. Dawson	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	Wm. Mehler	E. D. Stephenson
Walter N. Flippin	E. C. Moore	Joe Stewart
Chas. G. Franklin	Ray B. Moss	Fred C. VanHoose
Perry B. Gaines	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Gates F. Young

—27

Those who voted in the negative were:

Dr. T. J. Edge	J. M. Rose	F. M. White

—3

Resolved that the title thereof be as aforesaid.

Senator Gates F. Young moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 337. An Act to amend Section 1938a-5, Kentucky Statutes, Carroll's 1930 Edition, relating to the open season on Rabbits.

Senator Rose moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 329. An Act to repeal and re-enact Section 1845 of Kentucky Statutes, Carroll's 1930 Edition relating to compensation of members of Fiscal Courts.

Senator Edge moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

A message was received from the House of Representatives announcing that they had passed bills and resolution of the following titles:

S. B. 149. An Act relating to chiropractic, amending and re-enacting Section 8 of Chapter 123 of Acts of the General Assembly of 1928.

S. B. 201. An Act relating to suits or actions by and against a county, city, municipality, and other taxing districts, to enjoin the issuance of bonds thereof, and forbidding the issuance thereof, except on the approval of a court of competent jurisdiction, prescribing the practice and fixing the burden of proof.

H. B. 253. An Act to amend and re-enact Section 415b-6 of the Kentucky Statutes, 1930 Edition, relating to persons entitled to Confederate pensions.

It was ordered that said bill be referred to the Committee on Veterans' Legislation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 415b-6 of the Kentucky Statutes, 1930 Edition, be and the same is hereby amended by striking therefrom the word and figures: "January 1, 1907" in the third

line thereof and substituting therefor the word and figures: "January 1, 1920", and that same be re-enacted, and that when so amended and re-enacted said section shall read as follows:

That any Confederate veteran who has been an actual bona fide resident of this State continuously since January 1, 1920, and who did actual military service in the Confederate army from the date of his enlistment till the close of the war or until he was honorably discharged as an officer or private soldier or sailor in the military and naval service of the Confederate States of America in the war of 1861 to 1865, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1907, and who was living with him as his lawful wife at the time of his death and who has not re-married again since the death of her veteran husband shall be paid out of the State treasury the sum of $30.00 per month upon proof of the fact according to forms and regulations prescribed by this act and conditions therein; Provided, that any officer or private soldier or sailor who was prevented from serving until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this act as though he had served until the close of the war or until honorably discharged; and provided, further, that any officer or private soldier or sailor who deserted or who was dishonorably discharged, shall not be entitled to the benefits of this act unless he be re-enlisted or returned to the service in the Confederate army and served until the close of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service.

H. Res 49. Resolution memorializing the Congress of the United States to pass House Bill Number 137, known as the Summers Farm to Marketpost road bill H. R. 137.

Whereas, there is now pending before the Congress of the

United States a bill introduced by Congressman John W. Summers, by which it is proposed to improve every mile of post roads in the United States that is not now improved, by a fifty-fifty co-operation of the Federal Government of the counties, States and districts that build this class of roads in each State,

And, whereas, said bill specifies "due consideration shall be given roads which shall best serve the agricultural needs of the counties in obtaining access to the Federal aid system, the rail and water shipping points and the markets,"

And, therefore, be it resolved by the Senate of the Commonwealth of Kentucky, the House of Representatives concurring, that the Congress of the United States of America be and hereby is petitioned to pass house bill No. 137, introduced by Congressman John W. Summers, of the State of Washington, which proposes to improve every mile of post roads in the United States that is not now improved, by a fifty-fifty co-operation of the Federal Government and the counties, States and districts that build this class of roads in each State,

Be it further resolved, that it is the sense of the Senate of the Commonwealth of Kentucky, the House of Representatives concurring, that the two United States Senators, and the eleven Congressmen representing this Commonwealth in the Congress of the United States, should support said measures and they are hereby petitioned so to do,

Be it further resolved, that the Chief Clerk of the Senate, upon the passage of this resolution and the concurrence therein by the House of Representatives, send to the President of the United States of America, and to the President of the Senate of the United States, and to the Speaker of the House of Representatives of the United States, and to each of the Senators and to each of the Congressmen representing the Commonwealth, a copy of this resolution.

Said resolution was ordered to lie on the Clerk's desk.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

H. B. 35. An Act authorizing cities of the third class in Kentucky by ordinance to establish groups of its police or fire departments to obtain the advantages of the group plan of life insurance; and to appropriate from the funds of the city in aid thereof any sum annually, not exceeding fifty per-cent of the annual permiums on such policies.

Senator Ferguson moved that said bill be made a special order for Wednesday, February 17, 1932, at 11 o'clock A. M.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 112. An Act relating to juries and amending and re-enacting sections 2249, 2251 and 2260, Carroll's Kentucky Statutes, 1930 edition.

Senator Franklin moved that said bill be recommitted to the Committee on Courts and Legal Procedure.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

Senator Moss moved that the vote by which S. B. 209 was rejected be reconsidered.

Said motion was agreed to by a majority of members elected, and

Said bill was reconsidered.

Thereupon, the Senate took up for further consideration said bill.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3024-a-4 of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby amended, so that same when amended and re-enacted shall read as follows:

Officers of Board—Said board shall annually elect a president, a treasurer, a secretary and a chief engineer, who shall hold their offices for one year, or until their successors have been duly elected and qualified, and devote all their time to the duties of their respective offices. No member of said board, except the president, shall receive a salary. The president shall be elected from the members of the board. The president shall devote his entire time to the duties of said office, and shall not engage, directly or indirectly, in any other business, occupation or profession. He shall not be interested, directly or indirectly, in any contracts with said Water Works or with the city owning or controlling said Water Works. He shall not be interested in any business dealing with said Water Works. The president, secretary and treasurer shall each give bond, with approved surety, in such amount as may be fixed by the board, which bond shall be payable to the board of water works, and obligate the makers thereof to perform faithfully the duties of their several offices and faithfully account for and pay over all money or other things of value which may come into their several hands. The combined salaries of the president, treasurer and secretary shall not exceed the sum of nine thousand ($9,000) dollars. The board shall have authority to appoint such other agents or employees as they may deem necessary or proper, and to fix the compensation of its officers, agents or employees: Provided, however, that the salary of no officer, agent or employee shall exceed the sum of five thousand ($5,000.00) dollars per annum.

Ordered that said bill be read the third time.

Senator Moss moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Alex E. Johnson	E. D. Stephenson
W. W. Booles	Frank I. Lloyd	Joe Stewart
H. M. Brock	E. C. Moore	Thos. O. Turner
Dr. T. J. Edge	Ray B. Moss	Fred C. VanHoose
Chas. G. Franklin	D. C. Naive	Sewell B. Williams
Arch Hamilton	Marion F. Pogue	W. A. Yates
J. S. W. Holloway	Dr. G. W. Ragan	Gates F. Young
Robert Humphreys	O. M. Rogers	
Wm. Isaacs	Dr. Lewis Ryans	—26

Those who voted in the negative were:

Edwin C. Dawson	J. M. Rose	F. M. White
Wm. Mehler		—4

Resolved that the title thereof be as aforesaid.

Senator Johnson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 186. An Act relating to juries and amending and re-enacting Sections 2249, 2251 and 2260, Carroll's Kentucky Statutes, 1930 Edition.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2249, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted and as amended and re-enacted shall read as follows:

A grand jury shall be summoned at three regular terms of circuit court, unless otherwise ordered by the judge, by an order entered of record. In such courts and branches thereof, having continuous session, as are authorized by article 1 hereof to draw and empanel a grand jury, it shall be done on the first Monday of each month that such court is in session, unless otherwise ordered by the judge.

§ 2. That Section 2251, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted and as amended and re-enacted shall read as follows:

Grand jurors shall be paid for their services each two ($2.00) dollars per day, and shall not remain in session longer than six days at any regular term of court, but the court in its discretion may if the business before the grand jury requires it extend the time of the grand jury not more than three days longer, by an order showing the necessity for such extension entered on the order book of the court. The court may in its discretion in case of an emergency call not more than three special sessions of the grand jury for not more than three days at a time. The court in calling a special grand jury shall set forth in an order entered on the order

book of the court the reason for calling a special session of the grand jury.

§ 3. That Section 2260, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted and as amended and re-enacted shall read as follows:

Jurors in circuit court shall receive two ($2.00) dollars per day, and when kept together overnight in custody of the sheriff, shall receive one ($1.00) dollar additional for each night they are kept together; and in courts inferior to the circuits, fifty cents (50c) for each case. In the circuit court a jury fee of four ($4.00) dollars shall be taxed as costs against the unsuccessful party; and in other courts the cost of the jury shall be paid by the party demanding the jury, and shall be taxed as costs against the unsuccessful party; but in such courts, if the same juror serve on more than two juries in one day, he shall not be allowed anything for such excess.

§ 4. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

Senator Franklin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and rejected.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Chas. G. Franklin	Dr. G. W. Ragan	O. M. Rogers
Rev. C. D. McCaw		—4

Those who voted in the negative were:

Jas. H. Bondurant	Frank I. Lloyd	R. H. Royster
H. M. Brock	Wm. Mehler	E. D. Stephenson
Dr. T. J. Edge	Ray B. Moss	Fred C. VanHoose
Walter N. Flippin	D. C. Naive	F. M. White
Wm. Isaacs	J. M. Rose	—14

Senator Stephenson moved that the vote by which said bill was lost be reconsidered.

Said motion was agreed to by a majority of members elected.

Senator Ryans moved that the Senate do now adjourn.

Said motion was agreed to.

WEDNESDAY, FEBRUARY 17, 1932.

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by Rev. Dr. Anderson of the Frankfort Presbyterian Church.

The roll of the Senate was called and the following Senators answered to their names:

Jas. H. Bondurant	Walter N. Flippin	Silas Jacobs
W. W. Booles	Chas. G. Franklin	Alex E. Johnson
H. M. Brock	Perry B. Gaines	L. C. Littrell
Edwin C. Dawson	Arch Hamilton	Frank I. Lloyd
Dr. T. J. Edge	J. S. W. Holloway	Rev. C. D. McCaw
Thos. C. Ferguson	Wm. Isaacs	Wm. Mehler

E. C. Moore	J. M. Rose	Thos. O. Turner
Ray B. Moss	R. H. Royster	Fred C. VanHoose
D. C. Naive	Dr. Lewis Ryans	F. M. White
Marion F. Pogue	E. D. Stephenson	Sewell B. Williams
Dr. G. W. Ragan	Joe Stewart	Gates F. Young
O. M. Rogers		—35

Senator Gates F. Young moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Stewart moved that the privileges of the floor be extended to Mr. H. H. Hansborough of Horse Cave and Miss May Wilson of Pineville.

Said motion was agreed to.

Senator Stewart moved that the privileges of the floor be extended to Mr. L. B. Franklin for the remainder of the session.

Said motion was agreed to.

Senator Pogue submitted the following communication from Hon. Franklin D. Roosevelt, Governor of New York.

"I am grateful for the invitation extended to me by the members of the General Assembly of Kentucky to address them in joint session on some convenient date prior to March the fifteenth. I wish that I could do this but unfortunately it is impossible. It is expected that our Legislature will adjourn some time around the middle of March, although we do not yet know the exact date. However, immediately following adjournment I shall have the so-called thirty day bills to dispose of and under the circumstances to leave the State any time during the month of March is impossible. I know you will understand.

May I ask that you convey my thanks and best wishes

to the members of your General Assembly. I am deeply sorry that I cannot have this privilege of meeting you all.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

Bills of the following titles were introduced, referred and ordered printed, as follows, viz:

By Senator Brock.

S. B. 388. An Act to amend Section 138 of the Constitution of the Commonwealth of Kentucky.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That upon the concurrence of three-fifths of all the members of each house, the yeas and nays being taken thereon and entered in full in their respective journals, Section 138 of the Constitution be amended and revised so that it shall read as follows:

Each county having a population of Fifty Thousand or more, and each county having a city of Twenty Thousand inhabitants, and a population including said city of Forty Thousand or more, may constitute a district, and when its population reaches Seventy-five Thousand the General Assembly may provide it shall have an additional judge, and such district may have a judge for each additional Fifty Thousand population above One Hundred Thousand, and in such counties the General Assembly shall by proper laws direct in what manner the court shall be held and business therein conducted.

By Senator Isaacs.

S. B. 389. An Act to establish a primary road project to be known as Project No. —, beginning at J. Wilson's store at the mouth of Island Creek in Owsley County on Project No. 11 and running up Island Creek by way of Island City to Brewer's store on Sturgeon Creek in Owsley County and intersecting with Booneville, Tyner and East Bernstadt road project No. —.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary road system of the Commonwealth of Kentucky a road beginning at J. Wilson's store at the mouth of Island Creek in Owsley County on Project No. 11, thence up Island Creek by way of Island City by Dan Peters' farm, by way of Brewer's store on Sturgeon Creek in Owsley County and intersecting with Booneville, Tyner, East Bernstadt road.

The construction, maintenance and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as if said road had been named in the original act as one of the projects of the primary system of State highways as provided herein.

By Senator Isaacs.

S. B. 390. An Act to establish a primary road project to be known as Project No. — beginning at the Pendergrass Farm near Pleasant Hill School on State Project No. 52 in Owsley County and running by way of Tommy Quillen's farm, by way of Benson Post Office, Traveler's Rest Post Office and intersecting with Booneville-East Bernstadt road at or near New Hope in Owsley County.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary road system of the Commonwealth of Kentucky a road beginning at the Pendergrass farm near Pleasant Hill School on State Project No. 52 in Owsley County, thence by way of Tommy Quillen's farm, thence by way of Vincent, Ky., thence by way of Traveler's Rest, Ky., and intersecting with Booneville-East Bernstadt Road Project No. — at or near New Hope in Owsley County, Kentucky.

The construction, maintenance and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as if said road had been named in the original act as one of the projects of the primary system of State highways as provided herein.

By Senator Isaac.

S. B. 391. An Act to establish a primary road project to be known as Project No. — beginning at the mouth of Road Run on State Project No. 11 in Clay County, Kentucky, thence up Buffalo Creek to the forks, thence up the left hand fork to the head of Squabble Creek down Squabble Creek to Buckhorn.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary road

system of the Commonwealth of Kentucky a road beginning at the mouth of Road Run on State Project No. 11 in Clay County, thence up Buffalo Creek in Owsley County to the forks, thence up the left hand fork to the head of Squabble Creek in Perry County, thence down Squabble Creek to Buckhorn in Perry County, Kentucky, intersecting State Project No. —.

The construction, maintenance and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as if said road had been named in the original act as one of the projects of the primary system of State highways as provided herein.

By Senator Holloway.

S. B. 392. An Act relating to articles of opaque substance being attached to windshields of automobiles to be designated as Section 2739i-4 as follows:

To the Committee on Motor Vehicles and Transportation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

No operator of motor vehicles upon the roads in the State of Kentucky shall drive such vehicle while there is attached to the windshield or within the body of the car of such vehicle any substance of an opaque nature, obstructing the view of such operator. Any person being so convicted shall be fined in a sum of not less than $25.00 nor more than $100.00 or imprisonment in the county jail of not less than one day and more than fifteen days or both, for each offense. An offense shall be construed to be each time said vehicle appears upon the public highway with such opaque substance.

All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

COMMITTEE REPORTS

Senator Dawson of the Committee on Roads and Highways, to which had been referred bills of the following titles:

S. B. 284. An Act establishing as a part of the primary system of State highways, a road from a point on State Project 82 at the mouth of Road Fork of Big Creek, thence running down Big Creek to the mouth thereof intersecting with State Project No. — in Pike County.

S. B. 281. An Act establishing as part of the primary system of State highways a road from mouth of Brushy to mouth of Turkey Creek.

H. B. 72. An Act relating to roads and bridges and amending Chapter 398 of the Acts of the General Assembly, 1928, bearing upon Road Project 433, striking from the said road project as set out in said chapter certain directions and points designated in said chapter for said road to pass.

S. B. 292. An Act to add to the State primary highway system, a road leading from Union County line, opposite Sturgis, Ky., to Dam No. 50, in Crittenden County, Kentucky.

S. B. 297. An Act to add to the primary system of public highways, a road leading from Homer Felts on Armstrong street, thence with the old Nashville Pike to the intersection of the present Nashville Pike at the top of Gardner's Hill.

S. B. 301. An Act to establish and create a road beginning at Summersville in Green County, Kentucky, and to run by the way of Bengal, Taylor County, and by Swinneyville, Taylor County, and by Woodlawn Schoolhouse in Taylor County, then on the Campbellsville and Greensburg Highway to Campbellsville, Taylor County, Kentucky, thence to Spurlington, Taylor County, thence to Merrimac, thence to the Lebanon and Liberty State Highway in Marion County by way of Ellis Gap.

S. B. 308. An Act establishing as a part of the primary system of State highways a road beginning at Elizabethtown, Ky., in Hardin County, and running thence via Bethlehem Academy, Blue Ball Church, Four Corners to Big Spring intersecting the proposed Lincoln Highway at Big Spring in Hardin County, Kentucky.

S. B. 311. An Act establishing a road from New Haven, Nelson County, Kentucky, by way of Roanoke to Elizabethtown in Hardin County, Kentucky, as a State primary road, and designating said road as Project No. —.

S. B. 314. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 318. An Act establishing and creating as a part of the primary system of State highways of the Commonwealth of Kentucky a road from Four Mile in Bell County up Four Mile Creek to Ivy Grove, and thence down Moore's Creek to a point in the Stinking Creek road near DeWitt, Knox County.

S. B. 324. An Act to establish as part of State highways, a road beginning at Gratz, Ky., on Owen County side, thence by Monterey, Ky., by way of Gaphill and Pond Branch up Kentucky River.

S. B. 338. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 345. An Act designating and establishing as part of the primary system of State highways of the Commonwealth of Kentucky and as a part of the project leading from Beattyville, Ky., to Jackson, Ky., a road beginning at a point in th State highway at the mouth of Dunnigan's Branch in Lee County by the way of Long Shoal Schoolhouse, Tallega, Athol, Oakdale to Jackson, Ky.

Reported said bills with expression of opinion that same ought to pass.

Senator Moore of the Committee on Courts and Legal Procedure, to which had been referred bills of the following titles:

S. B. 367. An Act to amend and re-enact Section 1222, Kentucky Statutes, 1930 Edition, Chapter 182, Section 95, Session Acts of 1893.

S. B. 135. An Act to amend and re-enact Section 2 of Section 606 of Carroll's Kentucky Civil Code of Practice.

S. B. 320. An Act adopting as the law of the Commonwealth of Kentucky the issue of civil and criminal codes of practice of Kentucky compiled by Judge Richard Priest Dietzman and issued in the year 1932 and published by the Baldwin Law Publishing Company, and known as Carroll's Civil and Criminal Kentucky Codes, providing further that this act shall not be construed to render valid or invalid any section or part thereof embraced in said codes, or repeal any section or part thereof not included in said codes.

H. B. 22. An Act to make June 3 "Confederate Memorial Day" a legal holiday.

Reported said bills with expression of opinion that same ought to pass.

Senator Ragan of the Committee on Public Health, to which had been referred a bill of the following title:

S. B. 360. An Act entitled "An Act prohibiting the possession, sale or manufacture in other than its natural state, Marahaunna, India Hemp, or Hasheesh, except for medicinal or scientific purposes, and prescribing the penalties for violation thereof.

Reported with expression of opinion that same ought to pass.

Senator Franklin of the Committee on Motor Vehicles and Transportation, to which had been referred a bill of the following title:

H. B. 212. An Act to make it compulsory for the owners of all trucks used for the purpose of hauling livestock, in the Commonwealth of Kentucky, to have the name of the owner or owners of said trucks painted on both sides and on the rear of said trucks, in letters five inches high and providing a penalty for the violation thereof.

Reported with expression of opinion that same ought to pass.

Senator Bondurant of the Committee on Insurance, to which had been referred a bill of the following title:

S. B. 304. An Act to amend and re-enact Section 762a-20, Kentucky Statutes, Carroll's 1930 Edition, relating to the writing of insurance through licensed agents within this Commonwealth, and prescribing penalties for violations of the provisions of this act.

Reported with expression of opinion that same ought to pass.

Senator Dawson of the Committee on Roads and Highways to which had been referred bills of the following titles:

H. B. 19. An Act relating to roads and bridges and establishing as a part of the primary system of State highways a road leading from a point on United States Highway 227 where the Elk Ridge and Lusby road intersects same through Lusby to United States Highway 25 at or near Corinth in Grant County, Kentucky, and designating the same as State Project No. —.

H. B. 33. An Act to establish as part of the primary road system of roads and highways of this Commonwealth a road beginning at State Project No. 55, known as Carrollton-New Castle road at a point known as the William Jenkins farm, and extending in a westerly direction to Providence Church, thence in a northwesterly direction to U. S. Highway No. 42, at a point near the mouth of Daugherty Creek, or from Providence Church in a northwesterly direction to a point intersecting State Project No. 37 at a point near Ewing's Ford.

H. B. 42. An Act to establish as a part of the State primary road system a road to be known as Project No. — to lead from Project No. 19½ at Buckner in Oldham County, Kentucky, by way of Cedar Point, Jack Smoot farm, and Barbara Basler farm to connect with Project No. 13, at the Liberty Church in Oldham County.

H. B. 49. An Act relating to roads and highways.

H. B. 50. An Act to amend and re-enact Chapter 269, page 580 of the Acts of the General Assembly of 1924, which is Project No. 126 of Section 4356t-5, of Baldwin's Kentucky Statute Service of Carroll's Kentucky Statutes, relating to roads and bridges and establishing a system of primary roads for the State of Kentucky and making provisions for the es tablishment, construction and maintenance of same.

H. B. 51. An Act to establish a primary road project to be known as Project No. —, to begin at Piqua in Robertson County, and extend to U. S. Highway No. 67, near its junction with State Project No. 61, in Nicholas County.

H. B. 77. An Act establishing as a part of the primary system of State highways a road beginning at Elizabethtown, Ky., in Hardin County, and running thence via Bethlehem Academy, Blue Ball Church Four Corner, to Big Spring, intersecting the proposed Lincoln Highway at Big Spring in Hardin County, Kentucky.

H. B. 86. An Act extending the Garrett Highway from the mouth of Wolf Creek and up Wolf Creek to the Pike and Williamson State Road.

H. B. 106. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road located in Muhlenberg County, beginning at the city limits of Central City, running in a southern direction through Stringtown to Rosewood, thence to Project No. 98, near the Muhlenberg and Todd County line.

H. B. 124. An Act relating to roads and highways.

H. B. 138. An Act to add to the primary road system of the State.

H. B. 139. An Act establishing as a part of the system of State highways, a road from Letcher Gap to Cold Spring, etc.

H. B. 159. An Act to establish a road and make part of the State primary system, a road from Windyville in Edmonson County to connect with the State highway near Honaker's Ferry in Warren County.

H. B. 166. An Act creating and establishing as a part of the State primary system of roads and highways a road project, leading from U. S. Highway No. 25, near Turkey Creek, via Girdler, to Tom Jones' farm on Big Richmond Creek, Kentucky, said road to be known and designated as the "James D. Black highway."

H. B. 191. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road from Thurlow, Green County, by way of Pierce, Crailhope, to Three Springs, Hart County.

H. B. 203. An Act relating to roads and to establish as a part of primary highway system a road from North Grassy

in Maggoffin County via Hindman, Ky., to a point on 15 near Cody, Ky.

H. B. 213. An Act to add to the State primary system of roads the route from Denniston, Menifee County, Kentucky, by way of Pomeroyton in Menifee County, Kentucky, to a point on the Kentucky-Virginia Highway about three miles east of Campton in Wolfe County, Kentucky.

H. B. 214. An Act to add to the primary system of roads of the Commonwealth of Kentucky the route from Frenchburg in Menifee County, Kentucky, down Beaver Creek through Scranton, Menifee County, Kentucky, to the mouth of said Beaver Creek at Licking River in Menifee County, Kentucky.

H. B. 222. An Act relating to roads and highways and establishing a road beginning at Old Cedar Baptist Church near Monterey on Road Project FA221 and known as the Owenton-Monterey-Frankfort road and running southeast via Truesville, Tackett's Mill, Owen County, Elmville, Franklin County, and intersecting with Project U. S. 227 about one mile north of Stamping Ground, Kentucky, in Scott County.

H. B. 228. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from the corporation limits of Scottsville, Ky., to the Tennessee State line, known now as the Hartsville road, which passes Shady Grove Schoolhouse and farm of H. C. Dobbs.

H. B. 229. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from the corporation limits of Scottsville, Ky., to Brown's Ford Bridge, via Maynard, Ky.

H. B. 230. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from Fitzpatrick's Store, two miles southeast

of Scottsville, on the Scottsville and Holland Pike, in Allen County, to the Tennessee State line, via Lucy A. Bradley farm and Mount Union Church.

H. B. 235. An Act establishing State Highway Project No. 235.

H. B. 237. An Act to establish as a part of the primary system of State highways of the Commonwealth of Kentucky, a road commencing at the Richmond and McKee State Highway No. 21, running down Red Lick to Station Camp Creek, in Estill County, Kentucky, to the State Highway Project No. 83.

H. B. 240. An Act establishing the road commencing at Gest, Henry County, via Sandripple through LeCompt's Bottom by the mouth of Flat Creek to intersect No. 37 at a point near Bald Knob High School, in Franklin County, as part of the State highway system.

H. B. 242. An Act to establish a new State primary road project, to be known as Project No. — beginning at Corydon on U. S. Highway No. 60, in Henderson County, Kentucky, and known as upper Corydon road, and extending in a northwestern direction to Smith's Mill, in Henderson County, Kentucky, a distance of aproximately 4½ miles.

H. B. 247. An Act relating to roads and highways and establishing a road beginning at the Georgetown, Stamping Ground and Owenton road known as Project U. S. 227 at the place where the turnpike leading from New to Fairbanks, Ky., crosses said Owenton, Stamping Ground and Georgetown road in Owen County and running eastward to Fairbanks, crossing Caney Creek and intersecting with the Lees Mill and New Columbus pike at the Hunter residence, thence to Natlee, New Columbus and Corinth, intersecting with the Dixie Highway at Corinth, Ky.

H. B. 255. An Act establishing a road leading from Flippin to Jeffery to or near Mud Lick.

H. B. 263. An Act relating to roads and highways provided for making a part of the primary road system of the Commonwealth of Kentucky a project running from the highway near West Fort Church in Calloway County, Kentucky, north via of Kirksy, north intersecting highway in Marshall County, Kentucky.

H. B. 264. An Act establishing as a part of the primary system of State highways a road running from the intersection of the Carrollton and Eagle turnpike with Project 59 of the primary system of State highways near Gap Hill in Carroll County, Kentucky, to Wheatley, Ky., via Easterday, Ky., and Eagle Station, Ky., and designating said road as Project No. 59C.

H. B. 265. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road running from Worthville to Sanders in Carroll County, Kentucky, and designating said road as Project No. 59D.

H. B. 274. An Act to establish a primary road project from the mouth of Emily Creek in Martin County, thence up Emily Creek to the mouth of Coper's Mine, thence up Coper's Mine and across the hill to Lick Branch to the Pike County line on the waters of Big Creek.

H. B. 282. An Act establishing State primary road project No. — from Benton, in Marshall County, to Bardwell, in Carlisle County, by way of Boaz and Lowes in Graves County, Kentucky.

H. B. 283. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating and establishing primary State roads, by adding thereto project No. —, described as beginning at a point in road running from Simpsonville and Chestnut Grove, in Shelby County, Kentucky, and running by way of Todd's Point and Floydsburg and connecting with State Highway 22 at Crestwood, in Oldham County, Kentucky.

H. B. 286. An Act to establish a primary road project from the end of West 12th street at the city limits, to Barren River Church, connecting with State Project No. 410.

H. B. 287. An Act establishing as a part of the primary system of State highways a road to be known as project No. —, beginning at a point on Highway No. 71 at Hadley, Warren County, Kentucky, by way of Ebenezer Church and Cave Hill to Richelieu, Logan County, Kentucky.

H. B. 289. An Act relating to roads and highways.

H. B. 290. An Act to establish as a part of the primary road system of the State highway of the Commonwealth of Kentucky, a road leading from Falmouth, Pendleton County, Kentucky, on U. S. Highway No. 27 by the way of Morgan and Cordova to intersect U. S. Highway No. 25 at Corinth, Grant County, Kentucky, and designating same as project No. —.

H. B. 299. An Act to establish as part of the State primary road system a road to be known as project No. —, starting on highway 81 at Calhoun, by the Poverty and Mt. Vernon Church near Lemore, connecting at Wrightsburg.

H. B. 301. An Act creating and establishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from Willisburg, Washington County, Kentucky, and continuing via Polin, Mt. Zion and Sutherland's Mill, to Chaplin, Nelson County, Kentucky, to be known and designated as project No. —.

H. B. 302. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating and establishing primary State roads by adding thereto project No. — described as beginning at a point in U. S. Highway No. 42, and running to Wise's Landing.

H. B. 303. An Act to amend Kentucky Statutes 4356t-5,

which is an act designating and establishing primary State roads by adding thereto project No. — described as beginning at a point in U. S. Highway No. 42, near Abbott's Store, thence in a northwesterly direction to Hickory Grove Church, thence westerly by the farm of T. Kidwell to Patton's Creek, thence westerly, by Covington Church to a point in State Highway No. —, near Westport, Ky.

H. B. 304. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating and establishing primary State roads by adding thereto project No. — described as beginning at a point in U. S. Highway No. 42, near the intersection of the Westport County road, and running with said county road by the farms of Pard Bowling, Richard Hamblen and W. C. Kelley, to the town of Westport, Ky.

H. B. 305. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating and establishing primary State roads by adding thereto project No. — described as beginning at a point in State road No. 37, near Humphrey Gividens, in Trimble County, and running over county road known as Debb and Foree, intersecting State road No. 63, in the town of Sulphur, Henry County, Kentucky.

H. B. 306. An Act to establish a primary road project to be known as project No. — beginning where the steel bridge crosses Watt's Creek in Whitley County, Kentucky, at a point in the State road No. 25W, two miles north of Williamsburg via Gold Bug to Young's Creek Post Office and connecting with the Corbin and Cumberland Falls road.

H. B. 308. An Act to establish as a part of the State primary road system a road to be known as project No. —, to lead from a point on highway No. 60, at or near Nick Mills' farm in Meade County, Kentucky, thence in westerly direction to or near Jim King's farm, thence to Arnold Schoolhouse and intersecting primary State road at Frymire, Ky.

H. B. 309. An Act to establish as a part of the State

primary road system a road to be known as Project No. —, to lead from primary State road near Ekron where Hill Grove road intersects primary State road, thence to Aldrich Shacklett's farm and thence to Hill Grove school and church, thence to Big Spring intersecting Lincoln Highway route by way of Meadeville and Hall Schoolhouse, in Meade County, Kentucky.

H. B. 315. An Act to establish as a part of the primary road system of the State highways a road from near mouth Abner Fork of Beaver Creek to the upper end of town of Weeksberry, Ky.

H. B. 327. An Act creating and establishing as a part of the primary system of roads and highways of the Commonwealth of Kentucky a road extending the Doctor Thomas Walker Memorial Highway from the present terminus of said highway, via Indian Creek to connect in Knox County with the road leading from Dishman Springs to Williamsburg.

H. B. 328. An Act creating and establishing as a part of the State primary system of roads and highways, a road project leading from Corbin, Knox County, Kentucky, via Wilton to the highway leading from Barbourville to Williamsburg, in Knox County, Kentucky.

H. B. 329. An Act creating and establishing as a part of the State primary system of roads and highways a road project, beginning at Fount and leading to the road fork of Stinking Creek in Knox County, Kentucky.

H. B. 330. An Act creating and establishing as a part of the State primary system of roads and highways a road project leading from U. S. Highway No. 25, at Evergreen, Ky., near Flat Lick and running through old Flat Lick, in Knox County, Kentucky, and thence to the mouth of Moore's Creek and up Moore's Creek to the Bell County line.

H. B. 349. An Act to establish a primary road project

from a point in the Glenn Lily road to a point on State Highway No. 71, near George Jefferson's property.

H. B. 351. An Act establishing a road project from corporation limits of Scottsville, Ky., along present traveled road by Gainesville, Meador, across Osborne Ford on Barren River, by Kepler, Warren County, intersecting Bowling Green and Glasgow road at Kirby farm.

H. B. 365. An Act to be placed on the State road primary system a road from Biever-Bend filling station to Red Hill Schoolhouse in Rockcastle County.

H. B. 366. An Act to add to the State primary system of roads, a road from Highway No. 168 near James Bullock's residence at Maretsburg to Bromo Post Office by J. D. Noe farm in Rockcastle County.

H. B. 367. An Act to be placed on the State primary system of roads a road from Livingston, the nearest and most practical route to the Devoult Schoolhouse on Skagg's Creek in Rockcastle County.

H. B. 368. An Act creating road project No. —, beginning at Blackey, Letcher County, Kentucky, and extending via Carcassonne Community Center, to State Highway 15.

H. B. 371. An Act establishing as a part of the State primary road system, a road leading from Danville and Lebanon Highway 168 and 68 to Penick Station in Marion County, a distance of approximately one-half mile.

H. B. 376. An Act establishing as a State primary road in Allen County a road beginning at Dalton Store on the Scottsville and Lafayette road and running to Amos via Doddy to Long Creek at the Asbury Napier Ford.

H. B. 377. An Act establishing as a State primary road in Allen County, a road beginning at Luther Stewarts in

Allen County, Kentucky, on the Holland and Lafayette pike, and extending the Monroe County line via the farms of Ralph Johnson, Henry Bandy, Burt Lee and Leo White.

H. B. 379. An Act establishing as part of the primary system of the State highways, a road leading from Milltown, Kentucky, via Portland and Pickett in Adair County, to Mell, Ky., in Green County.

H. B. 380. An Act establishing as part of the primary system of State highways, a road project leading from Milltown, Ky., to the Columbia and Edmonton road at or near Union Church in Adair County.

H. B. 381. An Act establishing as part of the primary system of State highways, a road leading from State project 1-25-255 at or near Hobson in Taylor County to connect with State project 41½ at most available point.

H. B. 382. An Act establishing as part of the primary system of the State highways, a road project leading from Columbia and Edmonton road at or near Bliss, Ky., to Columbia and Greensburg road at or near James Grisson farm in Adair County, Kentucky.

H. B. 383. An Act establishing as part of the primary system of State highways, a road leading from Campbellsville to Spurlington, in Taylor County.

H. B. 384. An Act relating to the primary system of roads and highways.

H. B. 385. An Act relating to the primary system of roads and highways.

H. B. 386. An Act relating to the primary system of roads and highways.

H. B. 388. An Act establishing as a part of the primary

system of State highways of the Commonwealth of Kentucky, a road beginning at the Allen and Warren County line on the upper Scottsville and Bowling Green Road and extending to Noes Store on the Scottsville and Gainsville road and passing by Britts Mill and Settle, Kentucky.

H. B. 398. An Act creating and establishing as a part of the State primary system of road and highways a road project, beginning at Buckhorn, a city on the middle fork of the Kentucky River: thence, up the same, so as to intersect with project 80, at Hyden, the county seat of Leslie.

H. B. 399. An Act creating and establishing as a part of the State primary system of road and highways a road project, beginning at Pineville, Kentucky, thence, up the right fork of Straight Creek and down the middle ford of the Kentucky River. So as to intersect at a point on the Harlan-Hyden Highway.

H. B. 401. An Act establishing as a part of the Highway system of State roads, a road, leading from Whitesburg, Kentucky, to Linefork Creek to intersect with road Project No. —.

H. B. 402. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating primary State road, by adding thereto project No. — described as beginning at a point in road 22, in Crestwood, Oldham County, Kentucky, thence by the way of Lake Louisvilla over right of way to road in Jefferson County, Kentucky.

H. B. 404. An Act to establish as a part of the primary system of the State highways of the Commonwealth of Kentucky a road from Summersville by way of Gabe, Gardners Mill, and Quisenberry Chapel, Green County to the Jackson Highway near Lynnwood, Hart County, Kentucky.

H. B. 408. An Act to add to the primary system of roads a road from Nelsons Store to Green Mount Post Office in Laurel County.

H. B. 411. An Act to establish as a part of the primary system of State Highways a road from the Sandy Hook and Louisa road near the J. L. Hulett farm in Lawrence county, to the Mayo Trail on Georges Creek.

H. B. 412. An Act to establish as part of the primary road system of roads and highways of this Commonwealth, a road beginning at the farm of Mike Noe on the Lancaster-Richmond road and extending in a southerly direction, passing the site of "Uncle Tom's Cabin"; thence by the store of Sam Hurt and to the Lancaster-Crab Orchard Road, at or near the bridge over Dix River.

H. B. 415. An Act establishing as a part of the primary system of the State highways a road beginning at Cynthiana, Harrison County, Kentucky, via White Oak, Selma, Fairview, Hinton, to a point on Dixie Highway near Stonewall in Scott County.

H. B. 416. An Act establishing as a part of the primary system of State highways a road beginning at a point on State project 58A at Broadwell, Harrison County, thence via Jacksonville and Centerville to Lexington, Fayette County, Kentucky.

H. B. 420. An Act to add to the primary system of roads in Rockcastle County from the entrance of the Dughill road into Highway 138 to Bishops Store.

H. B. 424. An Act establishing as a part of the primary system of State highways a road beginning at George Reeves farm, in McLean County, Kentucky; thence near Oak Grove Church via Buel, intersecting with route 71 at Flat Buck Creek Church.

H. B. 435. An Act to establish as part of the State primary road system a road to be known as project No. — starting on the Dawson Springs, Providence road near Charleston, Hopkins county, by way of Union Grove, Evans Mill, Waite

School to a point on Dawson Springs-Princeton Road, approximately 3 miles from Dawson Springs.

H. B. 436. An Act to establish as part of the State primary road system a road to be known as project No. —, starting on Highway No. 91, between Crider and Bakers Station via Charlene connecting with Fairview Church on Ollie James Highway.

H. B. 437. An Act to establish as part of the State primary road system a road to be known as Hopson Store in Caldwell County and extending thence to Wallonia, Trigg County, a distance of about 5 miles.

H. B. 438. An Act to establish as part of the State primary road system a road to be known as project No. —, beginning on Federal Highway 62, at or near the farm known as the Mollie Pettie farm in Caldwell County, Kentucky, extending thence by Silver Star School House to what is known as the Emerson Place, colored, thence intersecting the Cadiz Road near Jim Tandy's place.

H. B. 442. An Act to add to the primary system a road from Elba on the State Highway No. 54 through the town of Delaware, Niagara to Anthoston to Highway No. 41 near Henderson.

H. B. 443. An Act establishing as a part of the primary system of State highways a road beginning at a point on State project 21 at Lair, Harrison County, Kentucky thence via a point on 58A near Lebus Quarry, thence with the Grays Run and Mount Vernon Pike to a point in State project 166 thence via White Oak to a point in State project 229 at Breckinridge, Harrison County, Kentucky.

H. B. 444. An Act establishing as a part of the primary system of State highways a road beginning at a point on State project 58B in Harrison County, at Tollgate House, thence via Shady Nook, Morning Glory and Salt Well to Carlisle in Nicholas County.

H. B. 445. An Act establishing as a part of the primary system of State highways a road beginning at a point on the Dixie Highway at Corinth, Grant County, Kentucky thence via Stringtown, Colmansville, Berry, Kelat, Sunrise, to Oddville, Harrison County.

H. B. 451. An Act to add to the primary system of State highways a route starting at Jeffersonville, Montgomery County, at Tabors Shop by Marion Martin's Farm, thence over Morris Mountain to Cane Creek, thence on to Bowen Station, Powell County, Kentucky.

H. B. 453. An Act to establish a primary road project, to be known as project No. —, beginning one fourth mile south of Flippin, Kentucky, at a point known as the Frain Cemetery on Highway 100, via Deep Ford on Barren River, to Akersville, Kentucky, connecting with Tennessee Highway at Walker Springs.

H. B. 352. An Act relating to roads and bridges and establishing as a part of the primary system of the State highways a road leading from a point where 20th street intersects with Cumberland Avenue in Middlesboro, Bell County, Kentucky, to a point on U. S. Highway 25E.

H. B. 350. An Act relating to roads and bridges and establishing as a part of the primary system of Kentucky a road leading from a point where the Binghamtown Cut off intersects with U. S. Highway No. 25E, to a point in Middlesboro, Kentucky, where Fitzpatricks Avenue intersects with Cumberland Avenue.

H. B. 169. An Act creating and establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road leading from Harrodsburg in the County of Mercer to Sparrow in the County of Anderson, to be known and designated as project No. —.

Reported said bills with expression of opinion that same ought to pass.

Senator Moore of the Committee on Courts and Legal Procedure, to which had been referred a bill of the following title:

S. B. 309. An Act to create the Office of District Detective, to the Commonwealth Attorney, in Certain Judicial Districts, composed of Two Counties, and having population of 100,000, or more, according to and as established by the 1930 Federal Census; providing the method of appointment, his compensation and prescribing his duties and tenure of office.

Reported with the following amendment thereto:

Amend S. B. 309, Sec. 4, by striking out the entire Section and inserting instead of Section 4, the following:

Sec. 4. Said District Detective shall receive a salary of Twenty-four Hundred dollars per year, to be paid monthly by the Fiscal Courts of the Counties composing said Districts, said salary to be paid out of the county levy of each county and divided equally between said counties. Said fiscal Courts shall allow and pay said salary monthly.

Reported with expression of opinion that same ought to pass with amendment thereto.

Senator Moore of the Committee on Courts and Legal Procedure, to which had been referred a bill of the following title:

S. B. 116. An Act to amend and re-enact section 4645a-3 and 4645a-4, Carroll's Kentucky Statutes, 1930, Edition, relating to stenographic reporters in circuit courts not in continuous session and fixing and providing for the payment of the fees of said stenographic reporters in circuit courts not in continuous session.

The Committee on Courts and Legal Procedure proposed the following amendment thereto by the way of a substitute therefor.

Said substitute reads as follows:

The Committee on Courts and Legal Procedure amend senate bill No. 116, by way of substitute and substitute in lieu of the original bill as amended the following substitute:

An Act to amend and re-enact sections 4645a-3 and 4645a-4, Carroll's Kentucky Statutes, 1930 Edition, relating to stenographic reporters in circuit courts not in continuous session and fixing and providing for the payment of fees of said stenographic reporters.

Reported with expression that same should pass with amendment thereto.

Senator Ferguson of the Committee on Military Affairs, to which had been referred a bill of the following title:

S. B. 355. An Act repealing and re-enacting Chapter 107 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1926 session, same being Sections 165-1, to 165-8, inclusive, of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, and also repealing and re-enacting Chapter 11 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1930, same being Sections 165-9 to 165-24, inclusive, Baldwin's 1931 Kentucky Statute Service, Carroll's Kentucky Statutes. Said Acts hereby repealed relate to the creation of an Air Board for Kentucky; provide the number, qualifications, term, powers and other matters relating to said board; provide for the creation of airports, buildings and facilities; provide for the licensing and registration of air men and aircrafts; authorizing the members of said Board to employ the necessary personnel, and to empower the Air Board of Kentucky to enforce laws relating to aviation.

Reported with expression of opinion that same ought to pass with amendment thereto, as follows:

Amend Senate Bill No. 355 so that Section 2 thereof will read as follows:

2. This Air Board shall provide air ports and air routes together with the necessary equipment, markings personnel, etc., for the State of Kentucky as best suits the interests and future of aviation, both commercial and military, and for such purposes shall be charged with the administration and expenditure of the Air Fund provided for by the biennial Appropriation Act.

Senator Mehler of the Committee on Municipalities to which had been referred a bill of the following title:

S. B. 349. An Act enabling cities of the second class to acquire, construct, improve, operate and maintain bridges across navigable streams, and to acquire and operate ferries thereover, so as to connect such cities with an adjoining State; providing for the creation of bridge commissions of such cities and prescribing their powers and duties; authorizing the issuance of revenue bonds of such cities, payable solely from bridge and ferry earnings, to pay the cost of such bridges and improvements thereof and such ferries; providing for the collection of bridge and ferry tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the bridges and ferries; setting forth the conditions upon which such bridges shall become free bridges; providing that no debt of such cities shall be incurred in the exercise of any of the powers granted by this act; providing for comdemnation.

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities to which had been referred a bill of the following title:

S. B. 298. An Act to amend section 9 of Chapter 64 of the Acts of the General Assembly of the Commonwealth of Kentucky 1924, entitled, "An Act relating to registration for elections in cities and towns having a population of five thousand inhabitants or more" approved March 21, 1924.

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities to which had been referred a bill of the following title:

H. B. 143. An Act relating to issuing bonds by counties having cities of the second class and by cities of the second class and school boards of cities of the second class in the Commonwealth of Kentucky and prohibiting the issuing of bonds for any purpose whatsoever by cities school board, and counties having cities of the second class therein, except to refund old bonds for the new, or revenue bonds without first submitting the question of issuing said bonds to voters at a regular election held for State, county and city officers and receiving the affirmative vote of two-thirds of the voters voting in said election.

Reported with expression of opinion that same ought to pass.

Senator Humphreys of the Committee on Veterans Legislation to which had been referred a bill of the following title:

S. B. 241. An Act to repeal and re-enact Section 2043-12 Supplement Carroll's Kentucky Statutes, 1930 Edition, the same being Section 12 of Chapter 68 of the Acts of the General Assembly of 1930 and entitled, "An Act concerning the manner of commitment of incompetent veterans of the World War who are beneficiaries of World War Veterans' Act as amended; and regulating the appointment, defining the duties and governing actions of guardians and committees for beneficiaries of the World War Veteran's Act, as amended, and the World War Adjusted Compensation Act, as amended."

Reported with expression of opinion that same ought to pass.

Senator Williams of the Committee on Suffrage and

Elections, to which had been referred a bill of the following title:

S. B. 354. An Act to amend and re-enact Chapter 41 of Carroll's Kentucky Statutes in so far as said action applies to counties containing cities of the First Class, providing for the adoption of voting machines, providing for the rules and regulations governing the use of said machines.

The Committee on Suffrage and Elections proposed the following amendment thereto by the way of a substitute therefor.

Said substitute reads as follows:

An Act to amend and re-enact Chapter 41 of Carroll's Kentucky Statutes in so far as said action applies to counties containing cities of first class, providing for the adoption of voting machines, providing for the rules and regulations governing the use of said machines:

Reported with expression of opinion that same ought to pass with amendment thereto.

CALENDAR

Senator Gates F. Young moved that the second reading of bills and resolutions at length be dispensed with and that they be read by their titles only.

Said motion was agreed to by a majority of the members elected.

It was ordered that the bills and resolutions be read by their titles only and placed in Orders of Day.

Said titles to bills are as follows:

S. B. 92. An Act providing for the licensing of drivers of motor vehicles upon the highways of this Commonwealth,

providing for the issuing and revocation of same, the recording of motor vehicle offenses, fixing the amount of said license, and providing penalties for violations.

H. H. 162. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky. Passed March, 1912.

S. B. 176. An Act to repeal Chapter 36 of the Acts of the General Assembly of the Commonwealth of Kentucky of one thousand nine hundred and thirty entitled "An Act relating to education in this Commonwealth and appropriating money from the general fund of the treasury of the Commonwealth to be used for education purposes in connection with the public school system of this Commonwealth and conferring authority and power upon the State Board of Education to supervise and administer the expenditure of money so appropriated, defining the purpose for which the money so appropriated shall be used, and providing conditions upon which it shall be received; and generally to provide for a more efficient system of public schools in this Commonwealth.

H. B. 52. An Act to repeal and re-enact Section 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 30. An Act to repeal and re-enact Section 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

Senator Stewart moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor, providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and further providing for definition of terms used, enforcement of and penalty for violation of this act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of three hundred dollars ($300) or less, secured or unsecured, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest, discount, consideration, or charge than six per centum (6%) per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of Three Hundred Dollars ($300) or less, providing for the administration of this Act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and findings of the Banking Commissioner under this act, and repealing so much of Section 4224A, Carroll's Kentucky Statutes (1930) as applies to persons licensed under this Act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes (1930), and repealing all acts and parts of acts in conflict with the provisions of this Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 154. An Act authorizing cities of the fourth and fifth classes to provide insurance or maintenance for arresting officers, who may sustain injury, in discharge of official duty, which incapacitates such officer; and, support for widows and orphans of such officers who lose their lives in discharge of official duty, and provide funds and taxes therefor, and procedure for securing same and determining amounts to be paid; and for trials, and appeals and concerning same.

Senator Moss moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 145. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky.

Senator Humphreys moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 152. An Act to repeal Chapter 13 of the Acts of the General Assembly of 1912, same being sections 4398a-1, 4398a-2, 4398a-3, 4398a-4, 4398a-5, Carroll's 1922 Edition Kentucky Statutes, relating to the inspection of school funds and authorizing the State Superintendent of Public Instruction to act as Special State Inspector and Examiner of all schools in cities, towns and counties receiving funds directly or in-

directly from the State or said cities, towns or counties, and to amend and re-enact section 4623, Carroll's 1922, Edition Kentucky Statutes by adding thereto the following words, to-wit: "It shall be the duty of said State inspector once each year to inspect and examine into the fiscal management and conduct of the office of all school officials, whose duty it is to receive, handle or disburse the public school funds of the State or any city, town, county or taxing district, and to make a written report to the Governor and also to the Commonwealth's Attorney and County Attorney of the county or district where such inspection is made.

Senator Williams moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. No. 1. An Act authorizing, regulating and governing the transportation for hire of persons and property by motor vehicles on public highways; giving the Railroad Commission of Kentucky certain powers with respect thereto; providing for the payment of fees and for the payment of taxes; giving the State Tax Commission certain powers in connection therewith; prescribing punishment and penalties; and repealing all laws in conflict herewith.

Senator Holloway moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 101. An Act to further regulate motor trucks, semi-trailer trucks, semi-trailers, and trailers, to enlarge the

powers of the State Highway Commission, county courts, and cities and incorporated towns in respect thereof, to provide for enforcement of the act and penalties for violations thereof, and repealing all laws inconsistent therewith.

Senator Jacobs moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 179. An Act enabling cities of the third class to acquire, construct, operate and maintain electric light, heat and power plant and to issue revenue bonds of such cities to pay the cost thereof, payable solely from the revenues of such works without the incurrence of indebtedness of said cities.

Senator Gates F. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 36. An Act relating to the licensing of the business or occupation of contracting painting or decorating, in cities of the first and second class and requiring such contracting painter or decorator to obtain permits from said city and making it the duty of said city to issue permits before doing any painting or decorating and providing penalties for the violating of said act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 97. An Act to provide for making and preserving plats of boundaries of cities and taxing districts.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 220. An Act granting members of Fraternal Benefit Societies the right to designate certain beneficiaries to receive the payment of death benefits; exempting certain Societies from the provision of the Act; and amending Sections 681c-6 and 681c-29 of Carroll's Kentucky Statutes; and repealing said sections and all laws and parts of laws in conflict therewith.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 681c-6 of Carroll's Kentucky Statutes be amended so as to read as follows:

Section 681c-6, Beneficiaries.—The payment of death benefits shall be confined to husband, wife, relative by blood to the fourth degree, father-in-law, mother-in-law, son-in-law, daughter-in-law, step-father, step-mother, step-children, children by legal adoption, orphans' homes or homes for the aged maintained by any Society or Association, or to a person or persons dependent upon the member; provided, that if after the issuance of the original certificate the member shall be-

come dependent upon an incorporated charitable institution, he shall have the privilege, with the consent of the society, to make such institution his beneficiary. Within the above restrictions each member shall have the right to designate his beneficiary, and from time to time have the same changed in accordance with the laws, rules or regulations of the society, and no beneficiary shall have or obtain any vested interest in the said benefit until the same has become due and payable upon the death of the said member, provided, that any society may, by its laws, limit the scope of beneficiaries within the above classes.

§ 2. That Section 681c-29 of Carroll's Kentucky Statutes be amended so as to read as follows:

Section 681c-29, Exemption of Certain Societies.—Nothing contained in this Act shall be so construed as to effect or apply to grand or subordinate lodges of Masons, Odd Fellows, Knights of Pythias (exclusive of the insurance department of the Supreme Lodge Knights of Pythias) and the Junior Order United American Mechanics (exclusive of the Beneficiary Degree or insurance branch of the National Council Junior Order United American Mechanics), or to similar orders, societies or associations now doing business in this State which provide benefits exclusively through local or subordinate lodges, or to orders, societies or associations which limit their admission to membership to any one hazardous occupation, nor to an association of local lodges of a society now doing business in this State which provides death benefits not exceeding three hundred dollars, nor to any contracts of reinsurance business on such plan in this State, nor to domestic societies which limit their membership to the employees of a particular city or town, designated firm, business house or corporation, nor to domestic lodges, orders or associations of a purely religious, charitable and benevolent description which do not provide for a death benefit of more than one hundred dollars, or for disability benefit of more than one hundred and fifty dollars to any one person in any one year. The insurance commissioner may whenever he deems proper make an examination of any such society or organization (domestic or for-

eign), operating in this State to enable him to determine whether such society is exempt from the provisions of this Act, and if found to not be so exempt the expense of such examination shall be paid by the society or organization examined upon statement furnished by him.

Any fraternal benefit society heretofore organized and incorporated and operated within the definition set forth in 681c-1, 681c-2, and 681c-3 of this Act, providing for benefits in case of death or disability resulting solely from accident, but which does not obligate itself to pay death or sick benefits, may be licensed under the provisions of this Act and shall have all the privileges and shall be subject to all the provisions of this Act except that the provisions of this Act requiring medical examinations, valuations of benefit certificates and that the certificates shall specify the amount of benefit shall not apply to such society.

§ 3. That said Sections 681c-6 and 681c-29 of Carroll's Kentucky Statutes be and they are hereby repealed.

§ 4. That all acts or parts of acts inconsistent with or in conflict with this act are hereby repealed.

§ 5. That this Act shall be in force from and after ninety days after the adjournment of this Session of the Legislature.

Ordered that said bill be read the third time.

Senator Mehler moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	J. S. W. Holloway	Marion F. Pogue
W. W. Booles	Robert Humphreys	Dr. G. W. Ragan
H. M. Brock	Wm. Isaacs	O. M. Rogers
Edwin C. Dawson	Silas Jacobs	J. M. Rose
Dr. T. J. Edge	Alex E. Johnson	R. H. Royster
Thos. C. Ferguson	Rev. C. D. McCaw	Dr. Lewis Ryans
Walter N. Flippin	Wm. Mehler	E. D. Stephenson
Chas. G. Franklin	E. C. Moore	Joe Stewart
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams

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Resolved that the title thereof be as aforesaid.

Senator Mehler moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of Representatives of the following title:

H. B. 40. An Act to amend Section 561 of Carroll's Kentucky Statutes 1930 Edition, being an Act concerning the termination of the existence of corporations, and how such termination is effected.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 561 of Carroll's Kentucky Statutes, 1930

Edition, be amended by inserting and adding after the word "business" in the 20th line, and before the words "and all debts" in the 21st line, the following:

"and a memorandum of such dissolution, signed by an authorized officer or agent of the corporation, and attested by the Clerk or his Deputy, shall be made on the margin of the record in the office of the Clerk of County Court, where its articles of incorporation are recorded; and the corporation shall send written notice thereof, signed by its authorized officer or agent and a copy of the action of the corporation authorizing such dissolution, together with one copy of said newspaper notice as published to the Secretary of State, who shall file same, and note such dissolution on the records, in his office; and no corporation shall be deemed to be dissolved except from the time of its compliance with the provisions of this Section. For each attestation so made by the Clerk of the County Court, he shall receive twenty-five cents;"

So that Section 561 as amended will read as follows:

"561. Termination of Existence of Corporation—How Effected. Any corporation organized under this chapter may, by the consent in writing of the owners of the majority of its shares of stock, unless otherwise provided in the articles of incorporation or amendments thereto, close its business and wind up its affairs; and when any corporation expires by the terms of the articles of incorporation, or by the voluntary act of its stockholders, it may thereafter continue to act for the purpose of closing up its business, but for no other purpose; and it shall be the duty of the officers to settle up its affairs and business as speedily as possible; and they shall cause notice to be published, for at least once a week for four consecutive weeks, in some newspaper printed and published in the county, if any, of the fact that it is closing up its business; and a memorandum of such dissolution, signed by an authorized officer or agent of the corporation, and attested by the Clerk or his Deputy, shall be made on the margin of the record in the office of the Clerk of the County Court, where its articles of incorporation are recorded; and the corporation shall send

written notice thereof, signed by its authorized officer or agent, and a copy of the action of the corporation authorizing such dissolution, together with one copy of said newspaper notice as published, to the Secretary of State, who shall file same, and note such dissolution on the records, in his office; and no corporation shall be deemed to be dissolved except from the time of its compliance with the provisions of this Section. For each attestation so made by the Clerk of the County Court, he shall receive twenty-five cents; and all debts and demands against the corporation shall be paid in full before the officers receive anything."

Ordered that said bill be read the third time.

Senator Johnson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	Silas Jacobs	J. M. Rose
H. M. Brock	Alex E. Johnson	R. H. Royster
Dr. T. J. Edge	Frank I. Lloyd	Dr. Lewis Ryans
Thos. C. Ferguson	Wm. Mehler	E. D. Stephenson
Walter N. Flippin	Ray B. Moss	Fred C. VanHoose
Chas. G. Franklin	D. C. Naive	F. M. White
Perry B. Gaines	Marion F. Pogue	Sewell B. Williams
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young
Wm. Isaacs	O. M. Rogers	—26

Resolved that the title thereof be as aforesaid.

Senator Johnson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of Representatives of the following title:

H. B. 259. An Act relating to the safe development and operation of minerals; providing regulations for the location of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells; defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith;

Senator Stephenson proposed the following amendment to said bill:

Amend House Bill No. 259 in the Senate by adding between the words "operated" and "and" in line 22 of section 1 of the printed bill the following: "or any coal bed which from outcrop indications or other definite evidence proves, to the satisfaction of the Department of Mines, to be workable."

Senator Stephenson moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the term "well" when used in this act means a bore hole drilled or proposed to be drilled for the purpose of producing natural gas or petroleum, or through which natural gas or petroleum are being produced; the term "well operator" shall include any person or persons, firm, partnership, partnership association or corporation that proposes to or does locate, drill, operate or abandon any well as herein defined; the term "coal operator" shall include any person or persons, firm, partnership or partnership association or corporation that proposes to or does operate a coal mine; the term "department" or "Department of Mines" includes the duly constituted authorities under the laws of the Commonwealth of Kentucky having jurisdiction over coal mining operations; the term "plat" means a map, drawing or print showing the location of a well or wells as herein defined; the term "casing" means a string or strings of pipe commonly placed in wells drilled for natural gas and petroleum; the terms "oil" and "gas" when used in this act, are synonyms for petroleum and natural gas respectively; the term "cement" means hydraulic cement properly mixed with water only; the term "workable bed" means a coal bed actually being operated commercially or which in the exercise of reasonable judgment the Department of Mines decides can commercially and that it is reasonably to be expected will within a reasonable period of time not exceeding ten (10) years be so operated and which, when operated, will require protection if wells are drilled through it.

§ 2. Before drilling a well on any tract known to be underlaid with coal bearing strata the well operator shall have a plat prepared showing the exact location of the well and shall forward by registered mail a copy of this plat to the Department and at the same time copies to the record owner of such coal bearing strata unless same be under operation,

in which event to each coal operator operating said beds of coal beneath said tract of land.

If no objections are made to the proposed location within five (5) days from receipt of the plat by the Department and the coal operator, the well operator may proceed to drill at the location indicated, and the plat shall be filed and become a permanent record, subject to inspection at any time by an interested person. Any agent of the coal operator or a superintendent in actual charge of the mines may be considered as a coal operator, and any process agent or other agent or person in charge of the coal for him may be considered the owner for the purposes of mailing the required copy of plat.

§ 3. In case the drilling of a well at any such location will endanger the use, of present or future operation, of a workable coal bed, the owner or coal operator or operators affected may, within five (5) days from the receipt of said plat by him or them and the Department of Mines, file specific objections in writing to such proposed location with the Department, and if such objection is so filed, the Department shall notify the well operator of the character of the objections and shall fix a time and place for a hearing, not more than ten (10) days from the end of the said five (5) days period, at which such objections shall be considered.

At the hearing, the well operators and the coal operators or owners, or such of them as are present or represented, shall proceed to consider the objections and to agree upon either the location as made or may so change same as to satisfy all objections and meet the approval of the Department and any new location thus selected and agreed upon shall be indicated on a plat in accordance with Section 2, which shall be filed and become a permanent record, whereupon the Department shall issue to the well operator a drilling permit approving the new location and authorize the well operator to drill at said location. In case the coal operator and well operator, or, the owner and well operator are unable to agree, then the Department shall, in view of the purposes and intent of this

Act and in compliance therewith, fix a location on said tract as near to the original location as possible and shall issue to the operator a permit to drill at the new location, if the well operator so desires.

If no such objections are filed within said period of five days the Department shall forthwith issue to the well operator a drilling permit approving the location and authorizing the well operator to proceed to drill at said location.

It shall be the duty of the Department to keep a proper index of such plats and locations and accurate records of the proceedings in case of any conference or dispute. In any case, however, where the well operator is working under any agreement with or from the owner, or with or from the coal operator when under operation of the workable coal beds under such tract, which permits the well operator to select his own locations, the location as originally chosen above by the well operators shall become the authorized location and the Department shall issue the proper permit for the drilling of the well, but the well operator must comply with all other requirements of this Act, including those covering the drilling of wells through coal beds and the plugging of wells which may be abandoned.

§ 4. A well penetrating one or more workable coal beds shall be drilled in such manner as will, if practically possible, exclude all oil, gas or gas pressure from the coal bed, except such as may be found in coal bed itself. Each string of casing run through a workable bed of coal shall be seated at least thirty (30) feet below said coal bed in twenty (20) feet of cement, mud, clay or such other non-porous material as will make an effective seal. In case a second workable coal bed is found less than thirty (30) feet below the first workable coal bed referred to above, the casing shall be seated and mudded off as above at least thirty (30) feet below the second bed and in case gas is found between these two beds, it shall be treated as set forth in Section 5. After any such string of casing has been properly so seated, drilling may proceed forthwith.

§ 5. In the event that gas is found beneath a workable coal bed, before the hole has been reduced from the size it had at the coal bed, a packer shall be placed below the coal bed, and above the gas horizon, and the gas by this means diverted to the inside of the adjacent string of casing through perforations made in said string of casing and through it passed to the surface without contact with the coal bed. Should gas be found between two workable beds of coal, in a hole of the same diameter from bed to bed, two packers shall be placed with perforations in the casing between them, permitting the gas to pass inside the adjacent casing to the surface. In either of the cases herein specified, the strings of casing shall extend from their seats to the top of the well.

§ 6. In the event that a well becomes productive of natural gas or petroleum, all coal protecting strings of casing shall remain in place during the life of the well, and the top ends of such strings shall be provided with casing heads, or such other suitable devices as will permit the free passage of gas and prevent filling the annular spaces outside such casing with dirt or debris.

§ 7. When a well is drilled through the horizon of a coal bed where the coal has been removed, the hole shall be drilled at least thirty (30) feet below the coal bed, of a size sufficient to permit the placing of a liner which shall start not less than twenty (20) feet beneath the horizon of the coal bed and extend not less than twenty (20) feet above it. Within this liner, which may be welded to the casing to be used, shall be centrally placed the largest sized casing to be used in the well, and the space between the liner and the casing shall be filled with cement as they are lowered into the hole. Cement shall be placed in the bottom of the hole to a depth of twenty (20) feet to form a sealed seat for both liner and casing. Following the setting of the liner, drilling shall proceed in the manner provided above. Should it be found necessary to drill through the horizon of two or more workable coal beds where the coal has been removed, the said liner shall be started not less than twenty feet below the lowest such horizon penetrated

and shall extend to a point not less than twenty (20) feet above the highest such horizon.

§ 8. Prior to the abandonment of any well, the well operator shall notify, by registered mail, the coal operator or operators or owners to whom notices are required to be given by Section 2 of this Act, and the Department of Mines, of the intention to plug and abandon any such well (using such form of notice as the Department may provide), giving the number of the well and its location and fixing the time at which the work of plugging and filling will be commenced, which time shall not be less than five (5) days after the day on which such notice so mailed is received or in due course should be received by the Department of Mines, in order that a representative or representatives of the coal operator or owner and of the department, or any or all, may be present at the plugging and filling of the well. Whether such representatives appear or do not appear, the well operator may proceed at the time fixed to plug and fill the well in the manner hereinafter described. When said plugging and filling have been completed, an affidavit, in triplicate, shall be made (on a form to be furnished by the Department) by two experienced men who participated in the work, in which affidavit shall be set forth the time and manner in which the well was plugged; one copy of this affidavit shall be retained by the well operator, another (or true copies of same) shall be mailed to the coal operator or operators or owners, and the third to the Department of Mines.

§ 9. Upon the abandonment of any well drilled through a workable coal bed, the well operator, at the time of such abandonment shall plug the well to a point forty (40) feet below the lowest workable coal bed in the following manner: The hole shall be filled with either mud, clay or non-porous material from the bottom to a point twenty (20) feet above the top of the lowest oil, gas or water bearing strata; or a permanent bridge shall be anchored thirty (30) feet below its lowest oil, gas or water bearing strata, and from said bridge it shall be filled with mud, clay or other non-porous

material to a point twenty (20) feet above said strata; at this point there shall be placed a plug of cement or other suitable material which will completely seal the hole. Between this sealing plug and a point twenty (20) feet above the next higher oil, gas or water bearing strata, the hole shall be treated in a like manner and at said point there shall be placed another suitable plug, which will completely seal the hole. In a like manner the hole shall be filled and plugged, or bridged, filled and plugged with reference to each of its oil, gas or water bearing strata. Whenever such strata are not widely separated and are free from water, they may be grouped and treated as a single productive strata. After plugging all strata as aforesaid, a final plug shall be anchored approximately ten (10) feet below the bottom of the largest casing in the well and from this point to the surface the well shall be filled with mud, clay or other non-porous material. In case any of the strata in the well shall have been shot, creating cavities which cannot readily be filled in the manner above described, the well operator shall follow either of the following methods: (a) Should the stratum which has been shot be the lowest one in the well, there shall be placed, at the nearest suitable point but not less than twenty (20) feet above the stratum, a plug of cement or other suitable material which will completely seal the hole. In the event, however, that the shooting has been done above one or more oil or gas bearing strata in the well, plugging in the manner specified shall be done at the nearest suitable point, but not less than twenty feet below and above the stratum shot. (b) When such cavity shall be in the lowest oil or gas bearing stratum in the well, a liner shall be placed which shall extend from below the stratum to a suitable point, but not less than twenty (20) feet above the stratum in which the shooting has been done. In the event, however, that the shooting has been done above one or more oil or gas bearing strata in the well, the liner shall be so placed that it will extend not less than twenty (20) feet above, nor less than twenty (20) feet below the stratum in which shooting has been done. Following the placing of the liner in the manner here specified, it shall be compactly filled with cement, clay, or other non-porous sealing material.

When a well has been filled and securely plugged in the manner aforesaid to a point forty (40) feet below the lowest workable coal bed, and if in the judgment of the well operator, the coal operator and the Department of Mines, a permanent outlet to the surface is required, such outlet shall be provided in the following manner: A plug of cement or other suitable material shall be placed in the well at a suitable point, not less than ten (10) feet below the lowest workable coal bed. In this plug and passing through the center of it shall be securely fastened an open pipe, not less than two inches in diameter, which shall extend to the surface. At or above the surface the pipe shall be provided with a device which will permit the free passage of gas and prevent obstructing the same. Following the setting of the aforesaid plug and pipe, the hole shall be filled with cement to a point ten (10) feet above the lowest workable coal bed. In case there are additional overlying workable coal beds, they shall be treated similarly, if in the judgment of the well operator, the coal operator and the Department of Mines, such treatment is necessary and in the event the parties cannot agree, the decision of the Department of Mines shall control. If no outlet to the surface is considered necessary by them from any workable coal bed, the plugging, filling and cementing shall be as first above described.

§ 10. Before hereafter removing any coal or other material or driving any entry or passageway within five hundred (500) feet of any well, and also before hereafter extending the workings in any coal mine beneath any tract of land on which wells are also drilled or within five hundred (500) feet of any well or under any tract of land in visible possession of a well operator or operators, any coal operator or operators shall forward, by registered mail, a copy of the parts of its maps and plans which it is required by law to prepare and file and bring to date from time to time, showing its mine workings and projected mine workings beneath such tract of land and within five hundred (500) feet of the outer boundaries thereof, simultaneously, to the well operator and the Department, and following the filing of such parts of its said

plans or maps as aforesaid, the coal operator may proceed with its mining operations in the manner and as projected on said plans or maps, but in case the conduct of its mining operations nearer than five hundred (500) feet to any completed well or well that is being drilled, or for the purpose of drilling which a derrick is being constructed, will endanger the use or drilling of such well, the well owner or operator affected may within five (5) days from receipt of said plat by him or them and the Department of Mines, file specific objections in writing to the mining operations within less than five hundred (500) feet of such well, and if such objection is so filed, the Department shall notify the coal operator of the character of the objections and shall fix a time and place for a hearing not more than ten (10) days from the end of said five (5) days period, at which such objections shall be considered. At the hearing, the coal operators or owners and well operators or owners, or such of them as are present or represented, shall proceed to consider the objections and to agree upon the character and extent of operations to be conducted within less than five hundred (500) feet of such well so as to satisfy the objections raised and meet with the approval of the Department, and in case the coal operator or owner and well operator or owner affected are unable to agree, then the Department, after a full hearing, shall make a decision defining what coal, if any, is necessary to be left for the safe protection of the use and operation of such well. The decision shall be subject to appeal by either party as in this act provided. A complete record of all such hearings shall be kept by the Department.

The coal operator shall, at least every six (6) months, bring such plans or maps, required by this Section, to date, or file new plans and new maps complete to date.

§ 11. The Department shall exercise supervision over the drilling, casing, plugging and filling of all wells drilled through workable coal beds and of all mining operations in close proximity to any well and shall have such access to plans, maps and other records and to the properties of the

operators as may be necessary or proper for this purpose. The Department shall receive or file formal complaints, charging that drilling or mining operations are being conducted contrary to the provisions of this Act, or to the order of the Department, and shall require formal hearings on such complaints. Immediately following such hearing, the Department shall make its findings of fact and enter such order as in its judgment is just and right and necessary to secure the proper administration of this Act.

§ 12. The Department may prescribe rules of procedure and for offering evidence in all matters brought before it and shall prepare and, on request, furnish to applicants copies of forms of notices and other forms that the Department may require to be used and prescribe the manner of serving the same. Any matter in controversy before the Department shall, after hearing or hearings, of which all persons interested have had due notice and at which they have been given an opportunity to appear and be heard and to offer evidence and to make argument by counsel if desired, be decided by the Department as may seem to it to be just and reasonable and necessary or desirable for the proper enforcement of the provisions of this Act.

§ 13. (a) Any party in interest being dissatisfied with an order of the Department may commence an action in the circuit court of the county wherein the subject-matter involved in the order, or the well, or workable coal bed, or part thereof, are located or may lie, or in any other court of competent jurisdiction against the Department and other interested parties as defendants, to vacate or set aside, in whole or in part, any such order.

Said action shall be in equity and proceeded with and tried as an equitable action and the courts shall have power to grant relief from any unlawful or unreasonable order of the Department, and shall render such judgment as to it may seem equitable and just.

From final orders and judgments in any such proceeding,

an appeal shall lie to the Court of Appeals, to be taken in the same manner as appeals are prosecuted in equity cases.

(b) The pendency of such proceedings shall not of itself stay or suspend operation of the order of the Department, but during the pendency of such proceedings the court in its discretion may stay or suspend, in whole or in part, the operation of the order of the Department on such terms as it deems just and in accordance with practice of courts exercising equity jurisdiction.

Any party shall have the right to secure from the court in which the action is commenced or pending an order suspending or staying the operation of an order of the Department pending said action by adequately securing the other parties against loss due to the delay in enforcement of the order, in case the order under review is not set aside, the security to take such form as shall be directed by the court granting the stay or suspension.

§ 14. Any person or persons, co-partnership, partnership association or corporation willfully violating the provisions of this Act which prescribes the manner of drilling and casing or plugging and filling any well, or which fixes the distance from wells within which mining operations shall not be conducted without the approval of the Department, or violating the terms of any order of the Department allowing mining operations within a lesser distance of any well than that prescribed by the Act, shall be guilty of a misdemeanor, and on conviction be punished by a fine not exceeding two hundred (200) dollars, or imprisonment in jail for not exceeding twelve (12) months or both, in the discretion of the court, and prosecutions under this section may be brought in the name of the Commonwealth of Kentucky in the circuit court of the county in which the violation of such provisions of this Act or terms of such order was committed.

§ 15. The invalidity of any portion of this Act shall not affect the validity of any other portion thereof which can be given effect without such invalid part.

§ 16. All acts and parts of acts inconsistent with this act are hereby repealed.

Ordered that said bill be read the third time.

Senator Stephenson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	J. S. W. Holloway	Dr. G. W. Ragan
W. W. Booles	Robert Humphreys	O. M. Rogers
H. M. Brock	Wm. Isaacs	J. M. Rose
Edwin C. Dawson	Alex E. Johnson	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	Wm. Mehler	E. D. Stephenson
Walter N. Flippin	E. C. Moore	Fred C. VanHoose
Chas. G. Franklin	Ray B. Moss	F. M. White
Perry B. Gaines	D. C. Naive	Sewell B. Williams
Arch Hamilton	Marion F. Pogue	—29

Resolved that the title thereof be as aforesaid.

Senator Stephenson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 332. An Act to amend and re-enact Section 1472, Carroll's Kentucky Statutes, 1922 Edition.

Senator Stephenson proposed the following amendment to said bill:

Amend Senate Bill No. 332 in line 5 after the word "election" the following words: and the signature of the one of the "Judge of election."

And by striking out in lines 12, 13 and 14 the sentence following the word "ballot" in line 12 of printed bill.

Senator Stephenson moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1472 of Kentucky Statutes, Carroll's 1922 Edition, be and the same is hereby repealed and re-enacted, so that said section when so repealed and re-enacted shall read as follows: Before marking such ballot, the voter shall be careful to examine the same to ascertain if the facsimile of the signature of the clerk of election, shows upon such ballot. After marking such ballot, as herein provided, the voter shall, after detaching the secondary stub, deposit such ballot in the ballot box, and it shall be unlawful for any election officer,

after such ballot has been delivered to such voter, to look or attempt to look at, or have in his possession, or handle any ballot contrary to law or in any manner whatsoever, except that such voter be a blind or disabled person and cannot mark and deposit his ballot; provided, that failure of the voter to detach the secondary stub, shall not invalidate his ballot. Each voter shall mark his ballot without undue delay and shall not occupy a booth when occupied by another and shall leave the booth and the room when the ballot is marked and deposited by him in said ballot box. Voters shall not occupy any booth more than three minutes when others are waiting to vote. No voter shall be permitted to electioneer or converse with others while in the voting room concerning their support or non-support of any candidate, party or issue to be voted on except as herein provided. No one shall be permitted in the voting room, except for the purpose of voting, while the officers are holding the election. Election officers will see that this provision is observed. No election officer shall be permitted while any voter is voting to go closer than six feet of any election booth, except to provide election utensils and not closer than six feet of the ballot box, which shall be stationed and placed near the voting booth, but in plain view of the election officers, except to aid and assist blind or disabled voters in depositing their ballots, and any violation of this provision, shall be deemed a high misdemeanor and upon conviction therefor, such person shall be fined not less than five hundred dollars nor more than one thousand dollars or may be imprisoned in the county jail not to exceed six months, or both so fined and imprisoned in the discretion of the jury.

Ordered that said bill be read the third time.

Senator Hamilton moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

W. W. Booles	Wm. Isaacs	J. M. Rose
H. M. Brock	Silas Jacobs	R. H. Royster
Edwin C. Dawson	Alex E. Johnson	Dr. Lewis Ryans
Dr. T. J. Edge	Frank I. Lloyd	E. D. Stephenson
Thos. C. Ferguson	Wm. Mehler	Thos. O. Turner
Walter N. Flippin	E. C. Moore	Fred C. VanHoose
Chas. G. Franklin	Ray B. Moss	F. M. White
Perry B. Gaines	D. C. Naive	Sewell B. Williams
Arch Hamilton	Marion F. Pogue	Gates F. Young
J. S. W. Holloway	Dr. G. W. Ragan	
Robert Humphreys	O. M. Rogers	—31

Resolved that the title thereof be as aforesaid.

Senator Hamilton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 193. An Act to amend and re-enact Sections 971-3, 971-4, 971-10, 971-12, 971-13 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sections 971-3, 971-4, 971-10, 971-12 and 971-13 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930, be and the same are hereby amended and re-enacted so that when so amended and re-enacted they shall read as follows:

Section 971-3. When from any cause the judge of any circuit court of continuous session or division thereof, being in attendance, can not properly preside in an action, proceeding or prosecution pending in said court, or if either party shall file with the clerk of the court his affidavit that the judge will not afford him a fair and impartial trial, or will not impartially decide an application for a change of venue, the parties by agreement, may elect one of the members of the bar of said court to hear and try the case, proceeding or application; and if any of the parties to said action, proceeding or prosecution are non-resident defendants, who have not entered their appearance, nor have been summoned, or are infant defendants, the attorney appointed to defend for such non-residents, or the guardian ad litem for such infants, may agree with the other parties to such action, proceeding or prosecution, upon a member of the bar having all the qualifications of a circuit judge, to try such action, proceeding or prosecution. However, if the parties can not agree upon a member of the bar to act as judge, as above stated, or if no judge of said court or division thereof is available, the clerk of the court shall at once certify that fact to the Chief Justice of the Court of Appeals of Kentucky, who shall designate as circuit judge a member of the local or state bar having the qualifications of a circuit judge to try such action, proceeding or prosecution, and the judge so designated shall have all the powers of the regular judge of the court over which the member of the bar is designated by the Chief Justice to preside in such action, proceeding or prosecution, and shall receive for his services the compensation hereinafter provided.

§ 2. Section 971-4. When from any cause the judge of any circuit court of other than courts of continuous session fails to attend, or is unable for any reason to hold the court, or if the parties litigant can not agree upon an attorney to

act as special judge as provided in Section 971-6 of this act, the clerk of said court shall at once notify the Chief Justice of the Court of Appeals of Kentucky, who shall, if no regular circuit judge is available, designate as circuit judge a member of the local or state bar having the qualifications of a circuit judge, to hold said court during the time when the regular judge shall fail to attend, or shall be, as above stated, unable to preside over said court, and the judge so designated shall hold said court, and shall have all the powers of the regular judge of the court over which he is designated by the Chief Justice. The Chief Justice, in his discretion, in designating, as provided in this section, a special judge to try any action, proceeding or prosecution in which the regular circuit judge can not properly preside or in which either party shall have filed with the clerk of the court his affidavit that the judge will not afford him a fair and impartial trial, or will not impartially decide an application for a change of venue, may designate such special judge to preside over the trial of such action, proceeding or prosecution for such time or purpose as the Chief Justice may designate or may, in his discretion, designate such special judge to preside in the trial of such action, proceeding or prosecution until its final determination on such trial. Special judges designated by the Chief Justice as provided for in this section shall receive for their services the compensation hereinafter provided.

§ 3. Section 971-10. The commissions of regular circuit judges as special judges, the designation of special judges by the Chief Justice, the reason of such designation, and the fact that the requisite oaths have been taken, must be entered upon the order books of the courts over which such special judges are designated to preside.

All claims for compensation and expenses of attorneys or members of the bar designated as special judges, and as provided for in Sections 971-5 and 971-7 of this act, shall be allowed and paid as provided by law for the payment of other claims against the Commonwealth, but before such claims shall be allowed by the auditor, the amounts thereof,

the number of days' services rendered on the bench, together with a statement of expenses, shall be entered upon the order book of the court over which such special judge is designated to preside, and the same shall be presented to and approved by the Chief Justice of the Court of Appeals.

§ 4. Section 971-12. It shall be the duty of every regular circuit judge to call a special term of his court, when, at the close of any regular term, as many as ten cases remain on the docket of his court undisposed of and not called for trial, nor under submission, and upon the failure of said regular circuit judge so to do, and upon manifestation of that fact by any of the parties litigant in such cases or by counsel of record, by motion and notice in writing to the Chief Justice of the Court of Appeals, the said Chief Justice is hereby empowered, in his discretion, to call a special term of such court, for the purpose of trying such cases or hearing any motion or pleading in relation thereto, and to designate any regular circuit judge, not otherwise engaged, to preside over such special term, or if no regular circuit judge is available, the Chief Justice may designate any member of the bar of this state having all the qualifications of a regular circuit judge to preside over such special term.

The order of the Chief Justice, calling a special term of any circuit court as provided in this section, shall specify the court in which said special term shall be held, when the same is to commence, and the style of each case to be tried, or in which any motion, pleading, order or judgment is to be filed, made or entered at said special term, but if all the cases on the docket are to be before the court at such special term, a statement to that effect will be sufficient without copying the entire docket in such notice. Whenever a special term shall be ordered by the Chief Justice of the Court of Appeals, as provided in this section, it shall be the duty of the moving party to serve a copy of such order upon all parties litigant affected thereby or upon counsel of record in each case specified in the said order, or in lieu of such notice, the Chief Justice may, in his discretion, direct that notice of such

special term shall be given by posting a copy of said order on the door of the courthouse where such special term is to be held, within a reasonable time previous thereto.

§ 5. Section 971-13. In each county of each judicial district, except counties having circuit courts of continuous session, there shall be held each year the number of terms of the circuit court provided for by law, and the term in any district may be extended if the business requires so that it does not interfere with any other term in the district; and whenever it is necessary to transact the business, a special term may be held in any county, either by an order entered of record at the last preceding regular term in the county or by notice signed by the judge and posted at the courthouse door of the county for ten days before the special term is held. The order or notice shall specify the day when the special term is to commence, and shall give the style of each case to be tried, or in which any motion, order or judgment is to be made or entered at the said special term, and no other case shall be tried, or motion, or order, or judgment entered therein, unless by agreement of parties, but if all the cases on the docket are to be before the court at such special term, a statement to that effect will be sufficient without copying the entire docket in such notice. Grand juries shall be summoned and criminal and penal causes shall be heard at but three terms in each year in any county, to be fixed by order of court, unless in an emergency the court may otherwise direct; and the grand or petit jurors may be summoned for any special term by direction of the judge; provided, however, that whenever, in the opinion of the regular judge of any circuit court, there is such a congestion of the civil or criminal docket in any such court as that it cannot be disposed of by the court at its regular terms, as now provided by law, or at any special term which may be called and held as provided by this section then and in every such case it shall be lawful for the regular circuit judge or such court, by order entered of record, at a regular term of such court, to call a special term of said court to be held while a court is, or may be, in session in the same or some other county in the district. Every such order calling

such special term shall specify the day when the special term of the court shall commence, and the time it shall continue, and shall give the style of each case to be tried, or in which any motion, order or judgment may be made or entered at such special term, and no other case shall be tried, or motion made, or order or judgment entered therein in any case, even by agreement of parties, except upon direction of the Chief Justice as provided by Section 971-12 of this act, but if all the cases on the docket are to be before the court at such special term, a statement to that effect be sufficient without copying the entire docket in such notice. The grand jury and petit jury for the trial of criminal or ordinary actions at such special term, shall be drawn at the term at which such special term is called in the manner and form as provided by law for drawing of grand and petit jurors for the regular terms of such court. Whenever the regular judge of such court can not attend at any special term called under this section, then a copy of the order calling such term shall be forwarded by the clerk of such court to the Chief Justice of the Court of Appeals, whose duty it shall be to designate some other regular circuit judge not then engaged in the trial of cases, or if no regular circuit judge be available at said time, it shall be the duty of the Chief Justice to designate some member of the bar of this state having all the qualifications of a regular circuit judge to hold the special term of such court, provided for in this section. The special judge so designated shall have all the powers of the regular judge of said court.

Ordered that said bill be read the third time.

Senator Franklin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

W. W. Booles	Alex E. Johnson	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Walter N. Flippin	Rev. C. D. McCaw	R. H. Royster
Chas. G. Franklin	Wm. Mehler	E. D. Stephenson
Perry B. Gaines	E. C. Moore	Joe Stewart
Arch Hamilton	Ray B. Moss	F. M. White
J. S. W. Holloway	D. C. Naive	Sewell B. Williams
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young
Wm. Isaacs		—25

Resolved that the title thereof be as aforesaid.

Senator Franklin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 151. An Act relating to the safe development and operation of minerals; providing regulations for the location of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells; defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith.

Senator Stephenson moved that said bill be recommitted to the Committee on Mines and Mining.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 329. An Act to repeal and re-enact Section 1845 of Kentucky Statutes, Carroll's 1930 Edition, relating to compensation of members of Fiscal Courts.

Senator Edge proposed the following amendment to said bill:

Amend Senate Bill No. 329, by adding at the end of line 13 of Section 1 of the printed bill, the following: Provided, that members of the Fiscal Court, other than the county judge, shall receive the sum of three dollars and fifty cents ($3.50) per day for services other than in attendance or holding Fiscal Court, and, that the whole compensation of members of Fiscal Court, other than the county judge, for holding and attending Fiscal Court and attendance at meetings of the committees thereof, shall not exceed the sum of three hundred and fifty ($350.00) dollars in any one year.

Senator Edge moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Holloway moved that said bill be recommitted to the Committee on Drains and Ditches.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 213. An Act to promote safety in places of employment, elevators, boilers and pressure vessels, creating a Kentucky Industrial Safety Board in the Department of Labor, providing for the appointment and qualifications of members thereof, and defining its powers and duties; providing that the chief officer of the Department of Labor shall be the secretary and administrative officer of said Board, prescribing the duties of said secretary, and providing that he shall perform said duties without additional compensation; authorizing the employment of necessary employees; and making an appropriation for the administration of this Act; and providing penalties for the violation thereof; and providing the payment of certain fees for inspection of boilers, and for enforcing payment thereof by actions in the Franklin Circuit Court, and further providing for variations in and for review of the rules and orders of said Board and for appeals therefrom.

Senator Rogers moved that said bill be recommitted to the Committee on Kentucky Statutes No. 2.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

A resolution of the following title was called from the clerk's desk.

H. Res. No. 49, memorializing the Congress of the United States to pass House Bill No. 137 known as the Summers Farm to Market—post road bill H. R. 107, was taken up from the Clerk's desk.

Senator Pogue moved that said resolution be adopted.

The question being taken thereon, was decided in the affirmative and

Said resolution was adopted.

Senator Ryans moved that the Senate recess until 1:30 o'clock P. M.

Said motion was agreed to.

The Senate reconvened at 1:30 o'clock P. M.

Senator Ryans moved that the privileges of the floor be extended to Messrs. Martin L. Schmidt and Carl Lang.

Said motion was agreed to.

Senator McCormick moved that the privileges of the floor be extended to Hon. E. J. Felts, Hon. W. O. Bilyen and Hon. J. A. Whittaker.

Said motion was agreed to.

Senator Stephenson moved that the privileges of the floor be extended to Scott Harkins of Prestonsburg.

Said motion was agreed to.

Senator Stephenson moved that the privileges of the floor be extended to Mr. E. A. Evans and Mrs. Shelling of Carter Co.

Said motion was agreed to.

Senator Mehler moved that the privileges of the floor be extended to Mr. Frank P. Lowther of New York.

Said motion was agreed to.

A Message was received from the House of Representatives announcing that they had passed a bill of the following title:

S. B. 23. An Act to repeal and re-enact Section 4399a Subsection 10 of Baldwin's 1928 Supplement to Carroll's 1922 Edition, Kentucky Statutes, relating to public schools, and being section 10 of an Act, entitled, "An Act creating a county board of education, prescribing its duties, fixing the tenure of office and compensation of its members; providing for the election of a county superintendent by said board; fixing his qualifications, compensation and term of office; and prescribing his duties and fixing his bond; providing for the election of an attendance officer by the county board of education; providing for the levy of tax for common school purposes in each county; prescribing the duties of the county tax commissioner the county court clerk, with reference to the assessment of the property subject to said tax and prescribing the duties of the county board of education and the fiscal court levying said tax and prescribing the duties of the sheriff in collecting said taxes and making his settlement to the fiscal court; providing the manner of paying his commission for collecting same; prescribing the duties of the fiscal court with reference to making settlement with the sheriff for said tax; providing for the employment of teachers; providing for appointment of district trustees and prescribing their duties."

A Message was received from the House of Representatives announcing that they had passed a bill of the following title:

H. B. 270. An Act to amend and re-enact Chapter 19 of the acts of 1920, approved by the Governor March 16, 1920, entitled "An Act imposing a license tax on race tracks at which races are run for purses or prizes under the jurisdiction of the Kentucky State Racing Commission, and which license tax is in lieu of all other license, income, excise, special or franchise tax of the State of Kentucky, or any county, city, town, municipality or other political subdivision thereof."

Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 19 of the Acts of the General Assembly of 1920, approved March 16, 1920, be and the same is hereby repealed and re-enacted so that said Act when amended and re-enacted shall read as follows:

§ 2. That every person, firm, association, or corporation engaged in the business of conducting a race track, at which races are run for purses or prizes, under the jurisdiction of the State Racing Commission, shall pay to the State of Kentucky a license tax therefor, as follows:

§ 3. Any Race Track within twenty (20) miles of a city of two hundred thousand (200,000) population located within or without the State of Kentucky, shall pay for each day upon which races are run a license tax of twenty-five hundred ($2500.00) dollars per day, and any track situated more than twenty (20) miles from a city of two hundred thousand (200,000) population located within or without the State of Kentucky, shall pay for each day upon which races are run a license tax of five hundred ($500.00) dollars per day.

§ 4. It shall be the duty of every person, firm, association, or corporation engaged in the business of conducting a Race Track, to furnish to the Auditor of Public Accounts on or before December 1st of each year, a true report of the number of days on which races were run on the said race tracks during the year, and at the same time pay to the Auditor of Public Accounts the correct amount due to the State of Kentucky, by said Race Tracks at the rate per day above fixed and provided.

§ 5. The license tax herein imposed shall be in lieu of all other license, income, excise, special or franchise tax to the

State of Kentucky, or any County, City, Town, Municipality or other political subdivision thereof; and no County, City, Town, Municipality or other political subdivision of the State of Kentucky shall be authorized or empowered to levy or impose any license, income, excise, special or franchise tax on any such person, firm, association, or corporation engaged in the business of conducting a race track at which races are run for purses or prizes under the jurisdiction of the State Racing Commission, or on the operation or maintenance of any parimutuel machine or similar device, or on the sale of any commodity or merchandise during the running of races thereon or at any such race tracks by any person, firm, association, or corporation.

§ 6. All laws and parts of laws in conflict herewith are hereby repealed.

§ 7. Whereas certain race tracks in this Commonwealth will be unable to operate in the Spring of 1932 under the law as it existed before the amendment herein proposed, unless relief is granted to them, and

Whereas, it is to the interest of the breeding industry of this Commonwealth to have race meetings in the Spring of 1932.

Now, therefore, an emergency is hereby declared to exist, and this Act shall take effect from and after its passage and approval by the Governor.

H. B. 161. An Act to amend and re-enact Section 362 of the Criminal Code of Practice in relation to the appellate jurisdiction of circuit courts.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 362 of the Criminal Code of Practice be and the same hereby is amended and re-enacted by adding thereto the following to-wit:

Provided, also, that an appeal shall lie from the Juvenile Session of the County Court to the Circuit Court from all orders and judgments whereby any infant, or other person, shall be restrained of his liberty, or placed in the custody of any institution, or fined, or punished, in any manner, whether in a criminal or quasi-criminal, civil, or other proceeding, and said appeal shall be prosecuted in the manner provided by this chapter, except that the transcript when filed in the office of the Clerk of the Circuit Court shall be accompanied by a motion for an appeal, supported by an affidavit of merits, signed by the appellant, or if he be an infant, by his parent or guardian, or if such infant have no parent or guardian, then by his next friend, which affidavit shall state the nature of the controversy involved; that is to say, whether one of law or fact, and if one of fact, the nature and extent of the facts in controversy, so as to enable the Circuit Court or the presiding judge thereof to determine whether an appeal shall be allowed or denied; so that when said section is so amended and re-enacted the same shall read as follows:

If a judgment against a defendant on a trial before a county judge, or in a justice's court, or in a city or police court, unless otherwise provided in the statutes creating or regulating it, be for imprisonment or for a fine of twenty dollars or more, he shall have the right of appeal to the circuit court of the county in which the judgment is rendered:

Provided, also, that an appeal shall lie from the Juvenile Session of the County Court to the Circuit Court from all orders and judgments whereby any infant, or other person, shall be restrained of the liberty, or placed in the custody of any institution, or fined, or punished, in any manner, whether in a criminal or quasi-criminal, civil, or other proceeding, and said appeal shall be prosecuted in the manner provided by this chapter, except that the transcript when filed in the office

of the Clerk of the Circuit Court shall be accompanied by a motion for an appeal, supported by an affidavit of merits, signed by the appellant, or if he be an infant, by his parent or guardian, or if such infant have parent or guardian, then by his next friend, which affidavit shall state the nature of the controversy involved; that is to say, whether one of law or fact, and if one of fact, the nature and extent of the facts in controversy, so as to enable the Circuit Court or the presiding judge thereof to determine whether an appeal shall be allowed or denied.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Senator Flippin proposed the following resolution:

S. Res. 34. Joint Resolution to require the University of Kentucky to play Centre College in football. Whereas, in former times there was played at least once in each year a football game between the University of Kentucky at Lexington, and Centre College, at Danville, and,

Whereas, great interest and much sentiment was attached to said game by the citizens of this Commonwealth, and,

Whereas, the University of Kentucky has ceased to invite Centre College to take part in this annual game, and,

Whereas, many citizens of this Commonwealth are desirous and hopeful that this game will be annually renewed,

Be it resolved by the Senate, the House of Representatives concurring therein, that the University of Kentucky at Lexingon shall hereafter engage in a football game at least once a year with Centre College at Danville, Kentucky, and

Be it further resolved, that the Athletic Association of the University of Kentucky shall immediately take such steps as are necessary to carry out the first clause of this Resolution.

Said resolution was referred to Committee on Veterans' Legislation.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 37. An Act creating a Board of Censors of motion picture films, providing for the appointment of the members thereof by the governor of the Commonwealth of Kentucky, fixing the terms and salaries of its members, providing for the payment of the expenses of such Board, fixing the fees to be charged by such Board, providing for the disposition of the funds collected regulating the censorship and exhibition of motion pictures in Kentucky, prohibiting discrimination in favor of or against competing exhibitors having the same or similar accommodations and facilities in the exhibition thereof, and providing penalties for the violation of this Act.

Senator Holloway moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 202. An Act relating to Game and Fish Commission, amending and re-enacting sections 1 and 2 of Chapter 53, and repealing Section 3 of Chapter 53, of the Acts of the General Assembly.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3 of Chapter 53 of the Acts of the General Assembly of 1930, being Section 1954c-5 of Kentucky Stat-

utes, Carroll's 1930 Supplement, be and the same is now repealed.

§ 2. That Section 1 of Chapter 53 of the Acts of the General Assembly of 1930, being Section 1954c-1, Kentucky Statutes, Carrol's 1930 Supplement, be amended and re-enacted and when so amended and re-enacted shall read as follows, to-wit:

Game and Fish Commission.—A game and fish commission is hereby created; said game and fish commission shall have perpetual succession with power to make and use a corporate seal and with power to alter the same; to adopt by-laws, rules and regulations for the government of its members, agents and employees, provided such by-laws shall not conflict with the constitution of Kentucky. Said commission shall consist of five members, who shall serve without compensation, except for necessary expenses to be paid upon an itemized statement thereof, duly audited by said commission, and shall have an office in the capitol and be supplied with suitable stationery, blanks, and postage for the transaction of its business; provided, however, that the Chairman of said commission shall receive compensation for his services, as fixed in the following section.

§ 3. That section 2 of Chapter 53 of the Acts of the General Assembly of 1930, being section 1954c-2, Kentucky Statutes, Carroll's 1930 Supplement, be amended and re-enacted, and when so amended and re-enacted shall read as follows, to-wit:

On or before the first day of July, 1932, the Governor of the Commonwealth shall appoint five members of the Fish and Game Commission, one of whom shall serve for a term of four years, two of whom shall serve for a term of three years, and two of them shall serve for a term of two years, and thereafter as the terms of each member expires, the Governor shall appoint their successors, respectively for a term of four years each, and whenever a vacancy shall occur, by death, resignation or removal, from office, or from the State, or otherwise

the Governor shall appoint his successor for the remainder of the unexpired term. In making the appointments the Governor shall not appoint more than one member of the Commission from any one county.

Of the first Commission appointed the Governor shall designate the person who is to fill the office for a term of four years as Chairman of the Commission, and such person shall hold the office of Chairman for a period of four years, unless he shall vacate his office, or be removevd from office or the Chairmanship. Thereafter, upon the appointment of the succeeding Commission the Governor shall name the Chairman of the Commission from among the members who are appointed, and such person so named shall be the Chairman until the expiration of his term, unless such person should vacate said office of Commission or should be removed from office, or from the Chairmanship of said Commission.

Said Chairman shall perform all duties heretofore, now or hereafter required of the Chairman, and in addition shall perform all the duties now or heretofore required of the Executive Agent, and shall devote all his time to the discharge of such duties as are now or heretofore required of the Executive Agent, and it shall be his duty to use his best efforts toward the enforcement of the game and fish laws, and to carrying into effect its full purposes, and he shall remain in the office of the Commission at all reasonable times. Before entering upon the discharge of his duties as such Chairman, he shall execute a bond to the Commonwealth of Kentucky in the penal sum of $5000.00, with surety, said bond to be approved by the Governor; and to be conditioned on the faithful discharge of his duties as Chairman of the Commission; the premium, if any, on said bond to be paid out of funds appropriated to or belonging to the Chairman of the Commission; and said bond to be filed with the Secretary of State. The Chairman shall be paid for his services hereunder the sum of $2,500.00 annually payable monthly and in the manner of the payment of other officers of the Commonwealth, and shall also be allowed his expenses as is above provided for other commissioners.

Said Game and Fish Commission shall meet quarterly at its office, and as much oftener as may be necessary. Special meetings of the commission may be called by the chairman at any time, and also shall be called by him on the written request by registered mail of two or more members of the Commission within five (5) days after receiving such written request.

§ 4. Whenever and wherever the words "Executive Agent" are used in Chapter 53 of the Acts of 1930, and whereever and whenever any duties are imposed on the Executive Agent, the said words "Executive Agent" shall be held to mean the Chairman of the Commission, and all and such duties and powers shall be imposed upon and vested in said Chairman.

§ 5. All laws or parts of laws and all Acts in conflict with this Act are now repealed, and Section 3 of Chapter 53, Acts of 1930, is specifically repealed.

Ordered that said bill be read the third time.

Senator Yates moved that the reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Edwin C. Dawson	Thos. C. Ferguson
H. M. Brock	Dr. T. J. Edge	Walter N. Flippin

Wm. Isaacs	Marion F. Pogue	Joe Stewart
Silas Jacobs	Dr. G. W. Ragan	Thos. O. Turner
L. C. Littrell	O. M. Rogers	F. M. White
Rev. C. D. McCaw	J. M. Rose	W. A. Yates
Ray B. Moss	R. H. Royster	Gates F. Young
D. C. Naive		—22

Those who voted in the negative were:

Arch Hamilton	C.T.McCormick,Sr.	Dr. Lewis Ryans
Robert Humphreys	Wm. Mehler	Fred C. VanHoose
Frank I. Lloyd		—7

Resolved that the title thereof be as aforesaid.

Senator Yates moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 248. An Act enabling cities of the second class to construct, operate and maintain a municipal light, heat and power plant; providing for a commission in such cities of the second class to construct, operate and maintain such municipal light, heat and power plant, and fixing the powers and duties of such commission, and providing for the issuance of revenue bonds of such cities to pay the costs thereof, payable solely through revenue derived from the sale of electrical current from such light, heat and power plant without the incurrence of indebtedness of any such city.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Definitions. The words "municipal light, heat and

power plant," whenever used in this act, shall include the actual building wherein power is generated, including all wires, generators, equipment and appliances, poles and everything necessary and incident toward the generation and distribution of electrical current to consumers. The terms "cost of a municipal light, heat & power plant" as used in this act shall include the act of constructing all buildings, and the acquisition of ground for the site of said generating plant, shall include the cost of the construction, including any franchises, easements, rights or damages incident thereto or consequent upon the taking thereof, shall include engineering, cost for the construction survey, necessary estimates as to the amount of electrical current consumed for the purpose of estimating the amount of electrical energy that will be consumed when said plant is put into operation, interest upon bonds and such other expenses as after the beginning of operation would be a part of the cost of the maintenance, operation and repairs. The words maintenance, operation and repair or similar words shall be deemed to include expenses for administrations, audits, insurance, indemnifying bonds, disbursements of moneys, trusteeship, engineering and incidental expenses. The term "Commission" as used in this act, shall be construed to mean the Commission formed in cities of the second class, bearing the name of said city.

The term "owner" used in this Act, shall be construed to mean all individuals, incorporated companies and religious, benevolent, literary or other societies or associations, having any title or interest in lands, structures, rights of way, franchises, easements or other interests in lands.

§ 2. Municipal Light, Heat & Power Commission. That the mayor of any city of the second class, with the approval of the legislative body of the city may appoint four persons, who with the mayor ex-officio, shall constitute a municipal light, heat & power commission. Each appointee shall be at least twenty-five years of age. No officer or employee of said city, whether holding a paid or unpaid office, shall be eligible to hold an appointment on said commission. Such appointee shall be originally appointed for terms of four years. Upon

the expiration of such terms, appointments shall be made in like manner, except that the terms of the four appointees shall be for one year, two years, three years and four years respectively, and the successors of such appointees shall be appointed in like manner, each for a period of four years. Not more than two of such appointees shall be members of the same political party. Vacancies shall be filled for any unexpired term in the same manner as the original appointment. The persons appointed, as provided herein, shall constitute a body corporate under the name of (insert name of city) Light, Heat & Power Commission, and shall have power to contract and be contracted with, to sue and be sued in that name and to adopt a seal and alter same at pleasure. Said commission shall elect a chairman and a vice chairman from its members, and a secretary and treasurer who need not be members of such commission. The members of the commission, except the mayor, shall receive such compensation as may be fixed by the legislative body of the city, either as a salary or as payment for meetings attended, but the maximum compensation of the chairman in any year shall not exceed twenty-five hundred dollars, and of each other member shall not exceed fifteen hundred dollars. The commission shall fix the compensation of the secretary and treasurer in its discretion. The commission shall have power to establish by-laws, rules and regulations for its own government and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers under this act. The commission may employ engineering, architectural and construction experts and inspectors and attorneys, and such other employees as may be necessary in its opinion and fix their compensation, all of whom shall do such work as the commission shall direct. All salaries and compensation shall be paid solely from the funds provided under authority of this act.

§ 3. Powers of Municipal Light, Heat & Power Commission. The commission is hereby authorized and it shall be its duty to prepare the necessary and proper plans and specifications for the construction of the municipal light, heat & power plant, to select the location for same, determine the size, type

and method of construction thereof, to make the necessary estimates of the probable cost of construction and the acquisition of the land and rights to buy or take over any existing light plant that may be furnishing electrical current to the city, to enter into the necessary contracts, to build and equip said plant, to secure the services of engineers and to cause a survey to be made of all lands, structures, rights of way, franchises, easements, the acquisition of which may be deemed necessary for the construction of such municipal light plant. The members of the commission or its agents and employees, may enter upon the lands and structures within the Commonwealth, notwithstanding any interest in such lands or structures, for the purpose of making such surveys, plans, maps or specifications; provided, however, that the commission shall not proceed to exercise or carry out any authority or power herein given it to bind said commission beyond the extent to which money has been provided under the authority of this act. No contract or agreement with any contractor or contractors for the construction of such municipal light, heat and power plants exceeding in amount the sum of twenty-five hundred dollars ($2500.00) shall be made without advertisement for bids, which bids shall be opened publicly and an award made to the best bidder, with power in the commission to reject any or all bids.

§ 4. Acquisition of Property. The commission is hereby authorized to purchase in the Commonwealth of Kentucky and in any adjoining State, solely from funds provided under the authority of this act, such lands, structures, rights of way, franchises, easements or other interests in lands, of any person, railroad or other or private corporation or municipality necessary for the building of said municipal light, heat & power plant upon such terms, prices or consideration as may be considered by it to be reasonable, and can be agreed upon between it and the owner or owners, title thereto to be taken in the name of the city.

§ 5. Condemnation of Property. Whenever it shall be necessary to condemn property within the Commonwealth of Kentucky for the purpose of constructing any portion of said

municipal light, heat and power plant and distribution system, the commission may condemn any interest, franchises, easements, rights or privileges, land or improvements which may, in its opinion, be necessary for the purpose of constructing a municipal light, heat & power plant or distribution system. Condemnation shall be had in the name of the commission and the method thereof shall be the same as provided for the condemnation for appropriate municipal purposes by cities of the second class. Title to property condemned shall be taken in the name of the city.

§ 6. Removal of Obstructions. All individuals or corporations having buildings, structures, works, conduits, mains, pipes, tracks, or other physical obstruction in, over or upon the public streets, lanes, alleys, highways which shall interfere with or impede the progress of said municipal light, heat & power plant and distribution system when in process of construction and establishment, shall upon reasonable notice from the commission promptly so shift, adjust, accommodate or remove the same at their own cost and expense, except as otherwise provided or required by law, as fully to meet the exigencies occasioning such action and the city legislative body shall have full power by ordinances to prescribe the penalty for such failure.

§ 7. Control by Commission. The Commission shall operate, manage and control such municipal light, heat and power plant and distribution system in their entirety, fix a schedule of rates for light, heat & power, establishing by-laws and rules and regulations for the use and operation of said plant and distribution system and select such employees as it deems necessary and fix their compensation.

§ 8. Public Ways and Works Restored to Original Conditions. Any public ways or public works damaged or destroyed by reason of the building of such municipal light, heat & power plant and distribution system shall be restored or repaired by the commission and placed in their original condition as near as practicable.

§ 9. Revenue Bonds. Nothing in this act contained shall be so construed as to authorize or permit any city to incur any indebtedness of any kind or nature as contemplated by the provisions of the Constitution of the Commonwealth in relation to the indebtedness of cities. Cities of the second class are hereby authorized to provide funds for the purpose of this act by the issuance of revenue bonds of such cities by an ordinance or resolution of the commission and without a vote of the voters, the principal and interest of which bonds shall be payable solely from the special funds herein provided for such payment. Such revenue bonds shall bear interest at not more than four and one-half per centum (4½%) per annum, payable semi-annually and shall mature in no more than twenty (20) years from their date or dates and may be made redeemable at the option of the city issuing the same, to be exercised through the commission at not more than the par value thereof and a premium of five per centum (5%) under such terms and conditions as the commission may fix prior to the issuance of such bonds. The commission shall provide the form of such bonds, including coupons to be attached thereto to evidence interest payment, which bonds shall be signed by the chairman of the commission and by the chief executive officer of the city under the city's seal, attested by a financial officer of the city, and which coupons shall bear the facsimile signatures of said chairman and said chief executive officer, and shall fix the denominations of such bonds and the place or places or payment of the principal and interest thereof, which may be at the office of the city treasurer and/or any bank or trust company in the Commonwealth of Kentucky or in the City of New York. The said bonds shall be exempt from taxation by the Commonwealth of Kentucky and by the municipalities and political subdivisions thereof. The commission may provide for the registration of such bonds in the name of the owner as to principal alone and as to both principal and interest. Such bonds may be sold in such manner as the commission may determine to be for the best interest of the city, taking into consideration the financial responsibility of the purchaser and the terms and conditions of the purchase and especially the availability of the proceeds of the bonds

when required for payment of the cost, such sale to be at not less than ninety-two cents (92c) on the dollar and accrued interest, and the proceeds of such bonds shall be used solely for the payment of the cost of the municipal light, heat and power plant and distribution system as such cost is defined in this act, and be checked out by the chairman or vice chairman of the commission and the secretary and treasurer thereof, and under such further restrictions, if any, as the commission may provide. If the face amount of such bonds, less any discount on the sale thereof not exceeding eight per centum (8%) of the face value as permitted by this act, shall exceed such cost, the surplus shall be paid into the fund hereinafter provided for payment of the principal and interest of such bonds. The commission shall have the right to purchase any of such bonds that may be outstanding at the market price, but at not exceeding 105 and accrued interest nor exceeding the price, if any, at which the same shall in the same year be redeemable, and all bonds redeemed or purchased shall forthwith be canceled and shall not again be issued. Prior to the preparation of definitive bonds the commission may under like restrictions issue temporary bonds, with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. The commission may enter into an agreement with any trust company in the Commonwealth as trustee for the holders of such bonds, setting forth the duties of the city and the commission in respect of the construction, maintenance, operation and insurance of any such municipal light, heat and power plant and distribution system, the conservation and application of all funds, the insurance of moneys on hand or on deposit and the rights and remedies of said trustee and the holders of such bonds, restricting the individual right of action of bondholders as is customary in trust agreements respecting bonds of corporations. Said trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustees and the bondholders as may be reasonable and proper, and also a provision for approval by the original bond purchasers of the appointment of consulting engineers and of the security given by contractors building said municipal light, heat & power plant and distribution system

and by any bank or trust company in which the proceeds of bonds or rates charged or other moneys of the commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the consulting engineers. The said bonds may be issued without a vote of the voters and without any other proceeding or happening of any other conditions or things than those proceedings, conditions and things which are specified and required by this act or by the Constitution of the Commonwealth.

§ 10. Rates. The rates to be charged for light, heat and power shall be so fixed and adjusted as to provide a fund sufficient to pay the interest and principal of bonds issued under this act and to provide an additional fund to pay the cost of maintaining, repairing and operating said municipal light, heat and power plant and distribution system. Such rates, except such part thereof as may be necessary to pay such cost of maintaining, repairing and operating during any period in which such cost is not otherwise provided for during which period the rates may be reduced accordingly, shall be placed in a special fund which is hereby pledged to and charged with the payment of such bonds and the interest thereon.

§ 11. If any section of this Act should be construed by the courts, as being in violation of the Constitution, it shall in no way effect the other provisions of this Act.

Ordered that said bill be read the third time.

Senator Moore moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Alex E. Johnson	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Thos. C. Ferguson	Rev. C. D. McCaw	Dr. Lewis Ryans
Walter N. Flippin	C.T.McCormick,Sr.	E. D. Stephenson
Chas. G. Franklin	Wm. Mehler	Joe Stewart
Perry B. Gaines	E. C. Moore	Thos. O. Turner
J. S. W. Holloway	Ray B. Moss	Fred C. VanHoose
Robert Humphreys	D. C. Naive	F. M. White
Wm. Isaacs	Marion F. Pogue	Sewell B. Williams
Silas Jacobs	Dr. G. W. Ragan	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Moore moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 150. An Act requiring all vehicles traveling any highway, public road, or street, to carry lights or lanterns of sufficient brightness to show the outline of the left side, of such vehicle, an amendment of Section 2739G24, Carroll's Edition of Kentucky Statutes, excepting therefrom wagons, buggies or slow moving vehicles or motorless vehicles while traveling on roads, other than State and Federal or State roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2739G24 of Carroll's Kentucky Statutes be amended by repealing all of said section and re-enacting in lieu thereof the following:

That all automobiles, motor trucks, bicycles, wagons, buggies, motorcycles, and each and every other kind of vehicle used or operated upon any public highway, road, or street, in the Commonwealth of Kentucky, are required to display lights as follows:

(1) At the rear one lighted lamp showing red visible from the rear two hundred feet away, whether said vehicle be in operation or stationary.

(2) When in operation bicycles and two-wheeled motorcycles shall have at least one, and all other automobiles, and trucks, including three-wheeled motorcycles, shall have at least two lighted lamps in front, showing white, or tinted other than red light, and of sufficient power to clearly reveal substantial objects at least two hundred (feet ahead) except for bicycles, fifty feet ahead; provided, any light projected ahead or sidewise shall be so arranged or deflected that no glaring rays from it or from any reflector shall be at any time more than three and one-half feet above a level surface at a distance of seventy-five feet or more ahead of such vehicle, and provided, further, that in case of accident or emergency, automobiles or trucks may display lantern or other lights of smaller power, but if insufficient to clearly reveal substantial objects at least seventy-five feet ahead, shall not proceed at a rate of speed in excess of eight miles an hour: Provided, that no automobile or truck shall be sold in this Commonwealth unless the light projected by the headlights meets the foregoing requirements at the time of the sale.

(3) When in operation wagons, buggies or any other slow moving vehicles or motorless vehicle while traveling on any State or Federal or State and Federal road or highway,

shall have at least one lighted lamp on the left side of said vehicle whether from the front or rear, showing white and of sufficient power to clearly reveal the outline of the left side of said vehicle and so that said outline may be observed by approaching vehicles from a distance of at least one hundred feet.

(4) Cities or towns may by ordinance designate certain well lighted streets or parts thereof during certain periods as being sufficiently illuminated to make lights on parked vehicles unnecessary, in which case Paragraphs 1, 2, and 3, shall not apply to such vehicles parked in such streets during such period and may also provide that when in operation in such designated streets or parts thereof during such period light or lights in front may be of lesser power as is provided in Paragraphs 2 and 3 in which case the provisions of paragraphs 2 and 3 shall not apply.

(5) All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

Senator Humphreys moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

H. M. Brock	Robert Humphreys	Ray B. Moss
Edwin C. Dawson	Silas Jacobs	D. C. Naive
Dr. T. J. Edge	Alex E. Johnson	Marion F. Pogue
Thos. C. Ferguson	L. C. Littrell	Dr. G. W. Ragan
Walter N. Flippin	Frank I. Lloyd	O. M. Rogers
Chas. G. Franklin	Rev. C. D. McCaw	R. H. Royster
Perry B. Gaines	C.T.McCormick,Sr.	Dr. Lewis Ryans
Arch Hamilton	Wm. Mehler	E. D. Stephenson
J. S. W. Holloway		—25

Those who voted in the negative were:

E. C. Moore	Joe Stewart	F. M. White
J. M. Rose	Fred C. VanHoose	—5

Resolved that the title thereof be as aforesaid.

Senator Humphreys moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 186. An Act relating to juries and amending and re-enacting 2249, and 2260, Carroll's Kentucky Statutes, 1930 Edition.

Senator Stephenson proposed the following amendment to said bill.

Amend House Bill 186 in the Senate, by striking out in line 4 of Section 3 and line 4 of section 2, the words and figures "two" and insert in lieu thereof the following: "three."

Senator Stephenson moved the adoption of said amendment.

The question being taken thereon was decided in the affirmative and said amendment was adopted.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2249, Carroll's Kentucky Statutes, 1930 edition, be and the same hereby is amended and re-enacted and amended and re-enacted shall read as follows:

A grand jury shall be summoned at three regular terms of circuit court, unless otherwise ordered by the judge, by an order entered of record. In such courts and branches thereof, having continuous session, as are authorized by article 1 hereof to draw and empanel a grand jury, it shall be done on the first Monday of each month that such court is in session, unless otherwise ordered by the judge.

§ 2. That section 2251, Carroll's Kentucky Statutes, 1930 edition, be and the same hereby is amended and re-enacted and as amended and re-enacted shall read as follows:

Grand jurors shall be paid for their services each two ($2.00) dollars per day, and shall not remain in session longer than six days at any regular term of court, but the court in its discretion may if the business before the grand jury requires it extend the time of the grand jury not more than three days longer, by an order showing the necessity for such extension entered on the order book of the court. The court may in its discretion in case of an emergency call not more than three special sessions of the grand jury for not more than three days at a time. The court in calling a special grand jury shall set forth in an order entered on the order book of the court the reason for calling a special session of the grand jury.

§ 3. That section 2260, Carroll's Kentucky Statutes, 1930 edition, be and the same hereby is amended and re-enacted and as amended and re-enacted shall read as follows:

Jurors in circuit court shall receive two ($2.00) dollars per day, and when kept together overnight in custody of the sheriff, shall receive one ($1.00) dollar additional for each night they are kept together; and in courts inferior to the circuits, fifty (50) cents for each case. In the circuit court a jury fee of four ($4.00) dollars shall be taxed as costs against the unsuccessful party; and in other courts the cost of the jury shall be paid by the party demanding the jury, and shall be taxed as costs against the unsuccessful party; but in such courts, if the same juror serves on more than two juries in one day, he shall not be allowed any thing for such excess.

§ 4. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

Senator Stephenson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Thos. C. Ferguson	Perry B. Gaines
Edwin C. Dawson	Chas. G. Franklin	Arch Hamilton

J. S. W. Holloway	Marion F. Pogue	Joe Stewart
Rev. C. D. McClaw	Dr. G. W. Ragan	Thos. O. Turner
C.T.McCormick,Sr.	O. M. Rogers	Fred C. VanHoose
E. C. Moore	R. H. Royster	Sewell B. Williams
D. C. Naive	E. D. Stephenson	—20

Those who voted in the negative were:

H. M. Brock	Robert Humphreys	Ray B. Moss
Dr. T. J. Edge	Wm. Isaacs	J. M. Rose
		—6

Resolved that the title thereof be as aforesaid.

Senator Stephenson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 120. An Act relating to fees, providing for the repeal, amendment, and re-enactment of Section 1748 of Carroll's Kentucky Statutes 1930 Edition, Article XLV Assistant Secretary of State.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Article XIV, Assistant Secretary of State, Section 1748 of Carroll's 1930 Edition of Kentucky Statutes, be amended and re-enacted so that said Section as amended and re-enacted shall read as follows:

FEES TO BE CHARGED BY: REPORT AND PAYMENT TO TREASURER

The Assistant Secretary of State shall charge and receive the following fees, to be paid by the applicant:

For issuing a commission and all necessary forms to a foreign Commissioner of Deeds for Kentucky $5.00
For commission to a Notary Public, with jurisdiction in one County only 2.00
For commission to a Notary Public, with jurisdiction state wide 10.00
For each remission or respite 2.00
For affixing seal to all attestation and certificates by the Secretary of State 2.00
For each warrant of arrest 2.00

No fee or compensation shall be allowed or paid for affixing State seal to a commission issued by the Governor to an officer in this State, required by law to be commissioned, or to a grant or to a pardon of a felony, except as herein provided. After the first Monday in January one thousand eight hundred and ninety-six the Assistant Secretary of State shall not charge or receive for himself the fees allowed him in this article, but shall charge and receive said fees for the use and benefit of the Commonwealth, and he shall, every sixty days after the first Monday of January, one thousand eight hundred and ninety-six, report all fees collected by him to the auditor, and pay said fees into the Treasury. (1893, c. 226, p. 1131, No. 25.)

Ordered that said bill be read the third time.

Senator McCaw moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Thos. C. Ferguson	Rev. C. D. McCaw	R. H. Royster
Walter N. Flippin	Wm. Mehler	Dr. Lewis Ryans
Chas. G. Franklin	E. C. Moore	E. D. Stephenson
Perry B. Gaines	Ray B. Moss	Joe Stewart
J. S. W. Holloway	D. C. Naive	Fred C. VanHoose
Robert Humphreys	Marion F. Pogue	Sewell B. Williams
Wm. Isaacs	O. M. Rogers	W. A. Yates
Alex E. Johnson	J. M. Rose	Gates F. Young
Frank I. Lloyd		—24

Those who voted in the affirmative were:

Jas. H. Bondurant —1

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 336. An Act to amend and re-enact Subsection 2a of Section 938e of Carroll's Kentucky Statutes, 1930 Edition, authorizing the County Board of Health in counties embracing cities of the fifth class to contract for hospital facilities and providing for a county levy therefor, so as to extend the provisions of said sub-section to counties having a city or cities of the fourth class.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Subsection 2a of Section 938e of Carroll's Ken-

tucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted so that same, when so amended and re-enacted, will read as follows:

"In order to provide money for the maintenance and furnishing of a county hospital in counties having a city or cities of the fourth or fifth class, and in which there is established in such county a "Community Hospital" (that is a non-dividend paying hospital, constructed by donations, or endowment funds) the county board of health existing under the laws of this Commonwealth in such county or counties embracing a city or cities of the fourth or fifth class, is hereby authorized and it is hereby made its duty to make and enter into a contract with the governing authority of such "Community Hospital" for hospital facilities for county purposes in such county until such time as a county hospital is authorized by vote of the people.

It shall also be the duty of the county board of health of the counties embracing a city or cities of the fourth or fifth class, on or before the first day of April, nineteen hundred and twenty-six, and each year thereafter, to contract with the governing authority of such community hospital for the support and maintenance of said hospital and to ascertain and report to the fiscal court of such county, the estimated amount needed for such county hospital purposes for the next year; this annual budget shall be submitted in writing to the county clerk, not less than ten days before the first day of April in each year, by the county board of health. And the county clerk shall present this annual budget to the fiscal court when it convenes to make the annual county levy. When this annual budget has been submitted to the fiscal court, it shall be the duty of the fiscal court to provide sufficient funds to pay said budget, by the levy and collection of a tax, of not exceeding five cents on the one hundred dollars, as a contribution for the county hospital purposes, and for the payment of the budget recommended and demanded by the county board of health as herein provided, and the same shall not be appropriated or used for any other purpose, during the life of the contract herein provided for. And when said funds are collected by

the county treasurer, he shall pay the same over to the treasurer or governing authorities of said hospital."

§ 2. Whereas certain hospitals constructed by donations or endowment funds in counties having cities of the fourth class are not receiving sufficient funds from patients and donations to maintain such hospitals and there is danger of closing such hospitals and leaving the counties without hospital facilities, an emergencey is declared to exist and this Act shall become a law upon its passage and approval by the Governor.

Senator Rogers proposed the following amendment to said bill:

Amend Senate Printed bill No. 336 by striking out the words in line 7, page 1, the following words: "that is a non-dividend paying hospital" and insert in lieu thereof the following "that is a hospital that is not self-supporting."

Senator Rogers moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Stephenson proposed the following amendment to said bill:

Amend Senate Bill No. 336, by adding at end of Section 1 of printed bill, the following: Section 1-a, Provided, that the fiscal court of the county shall have no power or authority to make the levy provided in Section One without first submitting said proposed tax to a vote of the people of the county at some regular election, for their approval or disapproval.

Senator Stephenson moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator White moved that said bill be laid on the table.

The yeas and nays being required thereon by Senators Ragan and Rose, resulted as follows, viz.:

Those who voted in the affirmative were:

H. M. Brock	Chas. G. Franklin	Wm. Isaacs
Walter N. Flippin	Arch Hamilton	F. M. White

—6

Those who voted in the negative were:

Jas. H. Bondurant	Frank I. Lloyd	J. M. Rose
W. W. Booles	C.T.McCormick,Sr.	R. H. Royster
Edwin C. Dawson	Wm. Mehler	Dr. Lewis Ryans
Dr. T. J. Edge	E. C. Moore	E. D. Stephenson
Perry B. Gaines	Ray B. Moss	Joe Stewart
J. S. W. Holloway	D. C. Naive	Thos. O. Turner
Robert Humphreys	Marion F. Pogue	Fred C. VanHoose
Silas Jacobs	Dr. G. W. Ragan	Sewell B. Williams
Alex E. Johnson	O. M. Rogers	W. A. Yates
L. C. Littrell		

—28

Therefore said motion was lost.

Senator Ragan moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	Alex E. Johnson	J. M. Rose
Dr. T. J. Edge	L. C. Littrell	R. H. Royster
Walter N. Flippin	Frank I. Lloyd	Dr. Lewis Ryans
Chas. G. Franklin	C.T.McCormick,Sr.	E. D. Stephenson
Perry B. Gaines	Wm. Mehler	Joe Stewart
Arch Hamilton	Ray B. Moss	Thos. O. Turner
J. S. W. Holloway	D. C. Naive	Sewell B. Williams
Robert Humphreys	Marion F. Pogue	W. A. Yates

—30

Those who voted in the negative were:

E. C. Moore F. M. White —2

Resolved that the title thereof be as aforesaid.

Senator Ragan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 337. An Act to amend Section 1938a-5, Rabbits, of the Kentucky Statutes, Carroll's 1930 Edition, relating to the open season on rabbits.

Senator White said that bill be laid on the table.

The question being taken thereon, was decided in the affirmative and

Said bill was laid on the table.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 131. An Act to amend and re-enact Section 4426-1 of Kentucky Statute Supplement, Act of 1926, Chapter 82, page 282 of the General Assembly.

Senator Pogue moved that said bill be recommitted to the Committee on Education with leave to report at any time.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day bills of the following titles:

S. B. 125. An Act empowering the State Board of Charities and Corrections to direct probation in Kentucky and providing for the designation and special compensation of a member of said board to act as Chief Director of Probation and for the compensation of other employees and appropriating necessary funds from the general fund for its administration.

S. B. 126. An Act to provide for the postponement of the rendition of judgment and the use of probation in criminal cases, providing for the appointment and compensation of probation officers and defining their powers and duties.

Senator Stephenson moved that said bills be recommitted to the Committee on Kentucky Statutes No. 1 with leave to report at any time.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 35. An Act authorizing cities of the third class in Kentucky by ordinance to establish groups of its police or fire departments to obtain the advantages of the group plan of life insurance; and to appropriate from the funds of the city in aid thereof any sum annually, not exceeding fifty per cent of the annual premiums on such policies.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the legislative departments of cities of the third class in Kentucky shall have authority, by ordinance, to form its employees of the police or fire departments into a group, or groups, for the purpose of their obtaining the advantages of the group plan of life insurance; to aid such employees as long as they continue such employment by paying from the funds of the city any sum annually not exceeding fifty per cent of the annual premiums on such policies, and to contract with the insurer on such other terms as may be provided for in such ordinance.

Whereas, many of the police and fire departments of cities of the third class in Kentucky are now without life insurance and can only obtain such insurance upon the group plan and are daily incurring grave hazards to their lives, an emergency is hereby declared to exist and this Act shall take effect from and after its passage and approval by the Governor.

The Committee on Municipalities proposed the following amendment thereto by the way of a substitute therefor.

Said substitute reads as follows:

Amend House Bill No. 35 in the Senate by way of sub-

stitute which said substitute shall be in words and figures as follows, to-wit:

An Act authorizing cities of the second and third classes in Kentucky to establish groups of city employees to obtain the advantages of the group plan of life insurance or the group plan of sick and accident insurance or both; and to appropriate from the funds of the city in aid thereof any sum annually up to one hundred per cent (100%) of the annual premiums on such policies.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the legislative departments of cities of the second and third classes in Kentucky shall have authority, by ordinance, to form the employees of such cities into a group, or groups, for the purpose of their obtaining the advantages of the group plan of life insurance, or the group plan of sick and accident insurance, or both; to aid such employees as long as they continue such employment by paying from the funds of the city any sum annually up to one hundred per cent (100%) of the annual premiums on such policy or policies, and to contract with the insurer on such other terms as may be provided for in such ordinance.

§ 2. Whereas, many of the employees of cities of the second and third classes in Kentucky are now without life insurance or sick and accident insurance and can only obtain such insurance upon the group plan and are daily incurring great hazards to their lives, an emergency is hereby declared to exist and this Act shall take effect from and after its passage and approval by the Governor.

The question being taken thereon, was decided in the negative.

Therefore said substitute was rejected.

Senator Hamilton proposed the following amendment to said bill:

Amendment to House Bill No. 35. Writing in line 1 immediately after "class," "and second class."

Senator Hamilton moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Gates F. Young moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Alex E. Johnson	J. M. Rose
W. W. Booles	Frank I. Lloyd	R. H. Royster
H. M. Brock	Wm. Mehler	E. D. Stephenson
Thos. C. Ferguson	E. C. Moore	Joe Stewart
Walter N. Flippin	Ray B. Moss	Fred C. VanHoose
Chas. G. Franklin	D. C. Naive	F. M. White
Arch Hamilton	Dr. G. W. Ragan	Sewell B. Williams
J. S. W. Holloway	O. M. Rogers	Gates F. Young
Silas Jacobs		—25

Senator Hamilton proposed the following amendment to the title of said bill:

Amendment to title of House Bill No. 35. Immediately after the word "class," "and second class."

Senator Hamilton moved that said amendment to the title be adopted.

The question being taken thereon, it was decided in the affirmative.

Said title was amended.

Resolved that the title thereof be as amended.

Senator Gates F. Young moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

ENROLLMENT REPORT

Senator Stewart, of the Committee on Enrollment, reported that they had examined and found correctly enrolled, bills and resolutions which originated in the Senate, of the following titles:

S. B. 149. An Act relating to chiropractic, amending and re-enacting Section 8 of Chapter 123 of Acts of the General Assembly of 1928.

S. B. 157. An Act prohibiting cattle from running or trespassing on State and National Parks, encampment grounds, scout camps, and grounds dedicated to religious, educational and recreational purposes, and providing penalties therefor.

S. B. 201. An Act relating to suits or actions by and

against a county, city, municipality, and other taxing districts, to enjoin the issuance of bonds thereof, and forbidding the issuance thereof, except on the approval of a court of competent jurisdiction, prescribing the practice and fixing the burden of proof.

S. B. 52. An Act to amend paragraph eleven (11), Section 1938a, Chapter 57 and paragraph twenty-four (24), Section 1954c, Chapter 57a, Kentucky Statutes, Carroll's 1930 Edition, relating to open season and bag limit on quail or bobwhite, and license to hunt, and providing for statement of game birds and animals killed, by adding thereto the language as hereinafter set out.

S. Res. 7. A resolution to authorize for the printing of the Governor's message for the use of the members of the General Assembly.

H. B. 200. An Act defining plumbing, master plumber and journeyman plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to qualified registered master plumbers and registered journeyman plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky; and also granting to the State Board of Health of Kentucky the power to adopt and promulgate a code regulating the installation of plumbing, house drainage, sewerage and sewage disposal; designating the kind of materials and fixtures including supply pipes, waste, ventilation, soil pipe and sewerage to be used in plumbing and drainage and the methods of their installation; prescribing the powers and duties of the State Board of Health in relation to this Act and providing penalties for violation of the provisions of this Act.

Senator Stewart, of the Committee on Enrollment, reported that they had examined and found correctly enrolled, a resolution which originated in the Senate, of the following title:

H. Res. 45. Resolution memorializing Congress to appropriate money to make adequate survey of Cumberland River in Eastern Kentucky, so as to hold river in due bounds.

Whereupon all other business was suspended; said bills and resolutions were read at length and compared in open Senate, and were found to be correctly enrolled. Thereupon, the President of the Senate, in open session, in the presence of the Senate, affixed his signature to said bills and resolutions.

Ordered that the Enrolling Clerk deliver said bills and resolutions to the House of Representatives.

After a time the Enrolling Clerk delivered the original and enrolled bills and resolutions which originated in the Senate, to the Clerk.

Ordered that the Clerk deliver the enrolled bills and resolutions which originated in the Senate, and which had been signed by the presiding officers of the Senate and House of Representatives, to the Governor.

After a time, the Clerk reported that he had performed that duty.

Senator Holloway moved to reconsider the vote by which H. B. 212 was refused its first reading on February 16th.

The question being taken thereon, was decided in the affirmative by a vote of two-thirds of the members elected.

Said bill was ordered to be given its first reading at length and to be placed on the calendar.

Therefore said bill was read for the first time at length and placed on the calendar.

Senator Ryans moved that the Senate adjourn until 10:45 o'clock A. M. on February 18.

Said motion was agreed to.

THURSDAY, FEBRUARY 18, 1932.

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by Rev. Dr. Anderson of Frankfort Presbyterian Church.

The roll of the Senate was called and the following Senators answered to their names:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	Alex E. Johnson	J. M. Rose
Edwin C. Dawson	L. C. Littrell	R. H. Royster
Dr. T. J. Edge	Frank I. Lloyd	E. D. Stephenson
Thos. C. Ferguson	Rev. C. D. McCaw	Joe Stewart
Walter N. Flippin	C.T.McCormick,Sr.	Thos. O. Turner
Chas. G. Franklin	Wm. Mehler	Fred C. VanHoose
Perry B. Gaines	E. C. Moore	F. M. White
Arch Hamilton	Ray B. Moss	Sewell B. Williams
J. S. W. Holloway	D. C. Naive	W. A. Yates
Robert Humphreys	Marion F. Pogue	Gates F. Young

—37

Senator Gates F. Young moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Mehler moved that the privileges of the floor be extended to Mr. Wallace McKay of Louisville.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor be extended to Miss Annie Hunt and Mr. Oliver Howe of Mt. Sterling.

Said motion was agreed to.

Senator Franklin moved that the privileges of the floor be extended to Miss Evelyn Jones.

Said motion was agreed to.

Senator Lloyd moved that the privileges of the floor be extended to Messrs. J. A. Nelligan, Ray Welsh, Wm. Cline and Jno. Rouche.

Said motion was agreed to.

Senator Royster moved that the privileges of the floor be extended to Mr. C. Cyrus Wall of Central City.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Messrs. Hollis H. Duffill, Will Watts, Paul Wilson, Welland Brown and Jim Howell.

Said motion was agreed to.

Senator Stewart moved that the privileges of the floor be extended to Miss May Wilson of Pineville, Miss Pauline Rhea of Greensburg, W. H. Atterbury of Munfordville, Geo. H. Rumpel of Louisville and Mr. S. A. Beard.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor be extended to Mrs. Daisy Howerton, Miss Emma Guy Cromwell of Frankfort, Col. G. G. Stewart of Winchester and Mrs. S. Renick.

Said motion was agreed to.

Senator Turner moved that the privileges of the floor be extended to Mr. Strand of New York.

Said motion was agreed to.

Senator Williams moved that the privileges of the floor be extended to Mr. J. Matt McDaniel.

Said motion was agreed to.

Senator Gates F. Young submitted the following communication from the Woman's Club of Owensboro.

Said communication reads as follows:

RESOLUTION PASSED BY OWENSBORO WOMAN'S CLUB FEBRUARY 16, 1932.

Whereas it has been reported that the House of Representatives of the Kentucky Legislature is recommending a 15% cut in the State's budget which would mean a great loss in the school funds for every department of educational work in the State and

Whereas such a loss to the school system of the State would be very disastrous for even the funds which have been available have not been sufficient to keep our school system abreast with the average States of the Union but have forced our great Commonwealth to take very low rank educationally in the galaxy of the States which should be embarrassing to every proud Kentuckian and

Whereas the setback to our schools caused by this cut cannot be overcome for several years because school systems and educational institutions cannot recover from a demoralized state with anything like the rapidity seen in business rehabilitation. At best educational progress is relatively slow and consequently the schools should be the last to suffer forced retrenchment.

Therefore be it resolved

1. That the Members of the Owensboro Woman's Club appreciate the efforts of the Governor and Legislature to re-

duce expenditures looking to the balancing of the State budget, but

2. That we deplore the idea of including a cut in the funds of the struggling school systems of our State which have for their object the training of our youth, a fundamental necessity for the proper progress and development of every phase of our modern life.

3. That we respectfully but strongly urge Senator Gates Young and Representatives E. M. Ford and Levi Baker to use their best efforts to prevent any reduction in the appropriation for school purposes in our Commonwealth during the next biennium.

4. That copies of this resolution be sent to each of our legislators and a copy be furnished the local papers.

This resolution was passed by the Woman's Club of Owensboro at a call meeting held at the Public Library Tuesday, February 16, 1932.

MRS. J. L. FOUST, President,
LOUELLA C. JENNINGS, Secretary.

To Committee on Appropriations.

Senator Turner submitted the following communication from sundry citizens in his district.

Said communication reads as follows:

RESOLUTIONS

Whereas, the western part of Kentucky has been segregated from the major portion of the Commonwealth by rivers, distance and other barriers, and has been denied the educational opportunities of the more fortunate regions of the State, and

Whereas, this institution was in due time established at Murray in obedience to an educational survey commission appointed under the General Assembly, and

Whereas, President Rainey T. Wells is being personally and unjustly attacked through the public press and through other channels with false accusations to the effect that through his influence he has defrauded the State of Kentucky by the sale of his lands and sale of his private home, and

Whereas, the people of Western Kentucky resent such false accusations and the lack of co-operation on the part of certain individuals,

Be it resolved, that we, the citizens of Murray and Calloway County, representing each church and civic organization of this community, wish to express our absolute confidence in the integrity, ability and character of our president and in the wisdom of the policies that he has put into effect for the educational welfare and development of the youth of our State, and

Be it further resolved, that we, the citizens of Murray and Calloway County, believe that the people of the Commonwealth should be informed of the fact that the grounds upon which the original campus is now located were not purchased by the State of Kentucky, but by the citizens of this community and given to the State of Kentucky, and

Be it further resolved, that the citizens of Murray and Calloway County donated $100,000 to construct the first building of the college plant and dedicated it to the State, and

Be it further resolved, that the Commonwealth be informed that the home and grounds where President Wells resides are not, and never have been, the property of the State or the college, but are his own property, and

Be it further resolved, that these concrete manifestations

of the generosity of the citizens of this community are based on their faith in the leadership and integrity of the founder of this college, who believed then and now that the youth, especially of Western Kentucky, should not be denied the educational advantages equal to those enjoyed in other parts of the Commonwealth of Kentucky, and

Be it finally resolved, that the entire citizenship of this county make an earnest appeal to the members of the General Assembly and our State administration to continue the necessary financial support for an efficient public school system and the State's educational institutions, confidently expecting that every member of the General Assembly will repudiate any effort to retard the progress of education in Kentucky.

To Committee on Appropriations.

Senator Rogers submitted the following communication from the Covington Chamber of Commerce.

Said communication reads as follows:

RESOLUTION

Whereas, a bill has been introduced in our present Legislature proposing a tax of five cents per quart on lubricating oils and five cents per pound on greases, and

Whereas, operators of automobiles are now heavily taxed by license fees, property taxes and five cents gasoline tax in Kentucky, and

Whereas, any further increases in such taxes will work a hardship to motorists and on the oil industry, and will tend to decrease the use of these commodities, and therefore, decrease the total revenue produced, and

Whereas, high taxes encourages tax evasion and drive business to other States where lower tax rates prevail, and

Whereas, there has also been legislation suggested to increase the present gasoline tax rate, therefore

Be it resolved by the Covington Chamber of Commerce that they go on record as vigorously opposing as a discriminatory tax any levy on motor oils or greases.

Be it resolved further, that this club is vigorously opposed to any increase in the present gasoline tax rate or any diversion of the revenue derived from gasoline tax to any purpose other than the building and maintenance of highways.

Be it further resolved that these resolutions be spread on the minutes and copies be forwarded to the Governor of the State of Kentucky, to the Chairman of the State Highway Commission, Chairman of the State Tax Commission, members of Committee on Revenue and Taxation No. 1, and to the press.

COVINGTON CHAMBER OF COMMERCE,

P. S. WACHS, Executive Secretary.

To Committee on Revenue and Taxation.

A message was received from the House of Representatives announcing that they had passed bills of the following titles:

H. B. 320. An Act to provide for the appointment of a curator for persons absent and not known to have been living for a year or more; and to prescribe the duties of such curator.

It was ordered that said bill be referred to the Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When any person, resident of this Commonwealth, or owning property lying or found in this Commonwealth, has been absent from his last known place of residence for a period of one year, and is not known to have been living during said time, the County Court of any county in which a personal representative could be appointed for such person's estate if deceased, may appoint a curator to collect and preserve the estate of said absent person. The court shall take bond with good surety, from the person appointed, for the full and faithful performance of the trust confided to him. An appeal from an order of appointment may be taken as in the case of an administrator, but this appeal shall not suspend the powers of the curator.

§ 2. Before any curator shall be appointed for an absent person, a written application requesting the appointment shall be filed with the Clerk of the County Court. Said application shall be verified and shall recite the fact of such absence, the last known address of such absent person, and the presence of property within this Commonwealth, or other grounds requiring the appointment of such curator for the protection of the property rights of such absent person. The application may be made by any relative, creditor or debtor of the absent person, or by any person in possession of or interested in any property or rights of said absent person.

§ 3. Upon the filing with the Clerk of the County Court of any such application, the Clerk shall send by United States registered mail, a letter addressed to such absent person at the last known address as given in the application, stating that such application has been filed, and the Clerk shall insert in a newspaper having general circulation in said county, once each week for four consecutive weeks, a notice to the effect that such application for the appointment of a curator has been made.

§ 4. It shall be the duty of the curator to collect and safely keep the estate of the decedent, and to make and return to court, within three months, a full and complete inven-

tory of the same. It shall be his further duty to deliver up the estate, including the income therefrom when required, to the absent person upon his return, or to the executor or administrator, when appointed. He may pay debts, commence and maintain actions, and be sued as such, and he may invest or reinvest any funds coming into his hands, and may sell such perishable and other goods as the County Court or the Circuit Court may order to be sold, and shall be allowed a reasonable compensation for his services in accordance with Kentucky Statutes, Section 3883.

H. B. 356. An Act to amend and re-enact Section 1 of Chapter 106, on page 535 of the Acts of 1920.

It was ordered that said bill be referred to the Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1 of Chapter 106, page 535 of the Acts of the General Assembly of 1920, be, and it hereby is, amended by inserting in said Section 1, immediately after the words "to be oiled," at the end of line 3 of said Section 1, the following, to-wit: "by the spreading of crude or other oil on the surface of such streets, or by spreading of crude or other oil mixed with crushed rock or screenings or other like substances on such streets," so that said Section 1 of said Act, when so amended and re-enacted, shall read as follows, to-wit:

"Section 1. That the board of trustees of towns of the sixth class of this Commonwealth are hereby empowered to cause all or any of such streets to be oiled, by the spreading of crude or other oil on the surface of such streets, or by spreading of crude or other oil mixed with crushed rock or screenings or other like substances on such streets, as is deemed to be to the best interest and welfare of the general public."

H. B. 406. An Act creating, cultivating and preserving State and County Forestry.

It was ordered that said bill be referred to the Committee on Forestry and State Parks.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any person or persons owning real estate in the Commonwealth of Kentucky who shall plant, set out or cause to be planted or set out not less than one acre or all over that amount in rows so as to be cultivated, or who shall set aside not to exceed twenty-five acres of land that is covered in a merchantable kind of timber and remove the underbrush therefrom shall be exempt from taxation on said amount so long as said land is cultivated and reserved for the growth of said timber. The said exemption of taxes shall only apply to land tax and said exemption shall not apply unless there be fifty or more trees planted on each acre. Provided, however, that land so improved shall be subject only to a tax of ten cents on the hundred dollars for State purposes.

§ 2. That all laws and parts of laws to the extent of this Act is hereby repealed.

§ 3. That this Act shall be in full force after it becomes a law.

H. B. 450. An Act for the benefit of Mrs. W. L. (Buddy) Moneymaker, whose husband, W. L. (Buddy) Moneymaker, lost his life in the performance of a public service, leaving the said Mrs. W. L. (Buddy) Moneymaker as his widow. Appropriating the sum of $3,000 from the general expenditure fund to the said Mrs. W. L. (Buddy) Moneymaker.

It was ordered that said bill be referred to the Committee on Appropriations.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whereas, W. L. (Buddy) Moneymaker was a guard at the Eddyville Penitentiary and lost his life as the result of being brutally struck down and fatally injured by a convict while at his post of duty, and

Whereas, at the time of his death he was receiving compensation of $100 per month, and left at his death a widow, Mrs. W. L. (Buddy) Moneymaker, without property, and in addition thereto, left a semi-invalid daughter who is without means of support, and

Whereas, the death of said W. L. (Buddy) Moneymaker was brought about by his performance of a public service, and therefore the appropriation hereinafter made comes strictly within the provisions of Section 3 of the Constitution of Kentucky.

Now, be it enacted, that the Auditor of Public Accounts is directed to draw his warrant upon the Treasury for the sum of $3,000, in favor of Mrs. W. L. (Buddy) Moneymaker, which sum is hereby appropriated from any money in the Treasury which is not otherwise appropriated.

§ 2. It appearing that Mrs. W. L. (Buddy) Moneymaker is in actual want and is unable to support herself and her invalid daughter, an emergency is declared to exist and this Act shall take effect from and after its passage and approval.

Bills of the following titles were introduced, referred and ordered printed, as follows, viz.:

By Senator Ragan.

S. B. 393. An Act to promote county fairs; providing

for their organization; authorizing the fiscal court to make appropriations therefor, and to submit to the voters of the county the question of levying a tax for the promotion and improvement therefor; providing for the awarding and offering of premiums, and declaring an emergency to exist.

To Committee on Agriculture and State Fair.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When thirty or more persons of a county or of contiguous counties, not to exceed three, shall have been organized into an agricultural society and has held an annual exhibit for three years previous to January 1, 1932, in a county wherein is located a county agricultural society, and when such society has held an annual exhibition, in accordance with the laws of the State and has filed a report of its activities with the fiscal court of the county wherein the fair is located and to the State department of agriculture, then upon presentation to the county court clerk of a certificate from the Secretary of Agriculture that the laws of the State have been complied with, the county court clerk of the county, if the fair board be residents of one county, shall draw an order on the treasurer of the county in favor of the president of the society or fair board for a sum not to exceed $500.00 and the treasurer shall pay said order.

§ 2. If the directors of the agricultural society or fair board be residents of more than one county the county court clerks of such counties shall draw orders on their respective treasurers for the proportionate share of the sum of $500.00 to be divided according to population of the counties according to the last Federal census, and the treasurers shall pay such orders or order from the county funds.

§ 3. Upon the presentation of a certificate from the fiscal

court certifying that any fair organization, that has made application for county aid, has expended a definite and certain sum of money, such sum not being less than $500.00 in the furtherance of carrying on of junior club work in the county in connection with the county fair, the county court clerk annually shall draw an order on the treasury of the county in favor of said organization for an amount not to exceed $500.00. The treasurer of the county shall pay said order upon presentation thereof.

§ 4. In the event an appropriation of more than $500.00 is needed to carry on the work of the agricultural society and promote the activities of said county fair, it shall be the duty of the officers and directors of such agricultural society or county fair board, on or before the first day of April, 1932, and each year thereafter, to ascertain and report to the fiscal court of such county or counties wherein such county fair is located the estimated amount needed for such agricultural society or county fair purposes for that year; the annual budget shall be submitted in writing to the county court clerk, not less than 10 days before the first day of April of each year, by the officers of the agricultural society or county fair board. The county court clerk shall present this annual budget to the fiscal court when it convenes to make its annual levy. When this annual budget has been submitted to the fiscal court, it shall be the duty of the fiscal court to provide sufficient funds to pay said budget, by the levy and collection of a tax, of not exceeding five cents on each one hundred dollars of taxable property, as a contribution for the county agricultural society in order to promote the activities of such county fair, and for the payment of the budget recommended and requested by the county agricultural society or county fair board as herein provided, and the same shall not be appropriated or used for any other purposes, during the year or following year herein requested. And when said funds are collected by the county treasurer, he shall pay the same over to the treasurer or governing authorities of said county agricultural society or county fair board.

(a) Provided, however, that said tax shall not be levied

until the same shall be submitted to and approved by the voters of the county wherein said county fair is located.

(b) The fiscal court of any county in the State may submit to the voters of the county at the general election to be held in November thereafter, the question of voting a tax of not less than one cent and not exceeding five cents on the hundred dollars on all property subject by law to local taxation, for the promotion of county fairs. The order of the fiscal court calling the election shall specify the amount of the tax to be levied each year and the number of years for which the tax may be imposed not exceeding ten years, and shall also provide that no amount of money in excess of the amount that can be raised by the levy in any one year shall be expended in that year or the year thereafter. The question to be submitted to the people shall be "Are you for a property tax of —— cents on each one hundred dollars worth of property in the county, to be levied each year for —— years, for the improvement of county fairs of the county?" The rate of taxation and the number of years for which the tax is to be levied to be inserted in respective blank spaces, and two small squares to be placed opposite the question and on the right of same, one for votes for and one for votes against the measure, designated respectively by the words "yes" and "no." And if a majority of the voters voting upon the proposition are in favor of it, then the fiscal court shall as soon as the result has been ascertained and certified, make provision for the improvement and promotion of the county fair.

§ 5. The county agricultural society or county fair board formed under preceding sections of this Act, annually shall offer and award premiums for the improvement of grounds, fruits, vegetables, livestock, articles of domestic industry, public school displays and such other articles, productions, improvements as they may deem proper, and may perform all acts that are best calculated to promote the agricultural and horticultural interest of the county or counties of the State. They shall regulate the amount of premiums, and their differ-

ent grades, so that all may have an opportunity to compete therefor.

§ 6. Persons suffering to compete for premiums on improved methods of production of crops or other articles, before such premium is adjudged, shall deliver to the awarding committee if required, a full and correct statement of the process of the method of production, and the expense and value thereof, with a view of showing accurately the profits derived or expected to be derived therefrom.

§ 7. All laws or parts of laws in conflict herewith are hereby repealed.

§ 8. In view of the distressed financial conditions of many of the county fair associations throughout the State of Kentucky and that because of said conditions their activities are being curtailed and in many instances suspended and, further in view of the great educational benefits derived therefrom by the agriculture, horticulture, livestock and other industries of the State, an emergency is hereby declared to exist and this Act shall take effect from and after its passage and approval by the Governor.

By Senator Rogers.

S. B. 394. An Act to amend and re-enact Section 3184 and Section 3185 of Kentucky Statutes, Carroll's 1930 Edition, and relating to the payment and collection of taxes in cities of the second class.

To Committee on Municipalities.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3184 of Kentucky Statutes, Carroll's

1930 Edition, be, and the same is hereby amended and re-enacted, so that said section when amended and re-enacted, shall read as follows:

Section 3184. Auditor to deliver books to clerk; tax bills; delivery of same to auditor and by him to treasurer; notice to taxpayer. As soon as the tax levy ordinance becomes a law, the Auditor shall deliver the assessment books to the City Clerk, who shall from them make out tax bills. Said bills shall show each lot, the assessment thereon, separately, shall give the name of the supposed owner, and shall give the net total assessment of personal property against said person and the tax thereon; and shall be so arranged that the tax bill for each half year may be detached and have each part intelligible. There shall be a stub to each bill which shall show in condensed form the items and amounts in the bill, and the bills and stubs shall be numbered consecutively, the stub to correspond to the bill to which it is attached. Bills and stubs to be bound in book form. On or before the first day of April in each year, the Clerk shall deliver the assessment books and tax bills fully made out to the Auditor and together they shall ascertain whether the sum of the tax bills equals the amount of the tax which, at the rate fixed, the total assessment should realize, and if it does not, they shall find and arrest the error; when the two agree, the Auditor shall receipt assessment books and tax bills. On or before the first day of April in year, the Auditor shall deliver all tax bills to the treasurer and take his receipts for the gross amount of them. As soon as practicable after the tax bills are delivered to the Treasurer, he shall, by himself, deputy or employees, mail to each person against whom a tax bill has been listed, or to the guardians and committees of infants and persons of unsound mind, a post paid notice, directed to the best of his knowledge, stating the number and amount of the bill, the date when due and the penalties imposed for non-payment; but this provision as to notice, is directory, and the failure of the Treasurer to send such notice, or the taxpayer, guardian or committee to receive it, shall not invalidate the tax, or

the interest or penalties, or any subsequent proceeding for the collection thereof.

§ 2. That Section 3185 of Kentucky Statutes, Carroll's 1930 Edition, be, and the same is hereby amended and re-enacted so that said section, when amended and re-enacted, shall read as follows:

Section 3185. When and how taxes due and payable; penalty for non-payment. Ad valorem taxes shall be due and payable, without demand therefor, at the treasurer's office, one-half each on the first day of June and the first day of October in each year, but the whole tax for the year may be paid as hereinafter provided. The treasurer may receive the whole tax at any time after the tax bills have been made out and delivered to him, as provided in Section 3184, Kentucky Statutes, and said taxes paid during the month of April in the year in which said taxes are due and payable shall be reduced by a discount of three per cent (3%). Said taxes paid during the month of May in the year in which said taxes are due and payable shall be reduced by a discount of two per cent (2%). Taxes not paid within one calendar month after they are due, shall be deemed delinquent and shall have added to them a penalty of ten per cent (10%) of the amount thereof, and shall thereafter bear interest at the rate of one-half of one per cent (½%) for each month or fraction of a month until paid, or until the property of the delinquent has been sold for the tax, as hereinafter provided. When taxes are paid the treasurer shall note on the stub of the bill the amounts paid on same and the date thereof, and he will deliver the receipted bill, countersigned by the auditor of the taxpayer. When any person shall desire to pay taxes on any one item of real estate in a tax bill he shall be allowed to do so, if the city's interest will not be prejudiced thereby, and will be given a receipt showing the date and the amount of the payment, the number of the tax bill, the name of the person against whom the tax bill is made out and a sufficient description to identify the property on which the taxes are paid. A corresponding notation shall be made on the tax bill and the

stub and the city's lien will thereupon stand released as to said property, but the tax bill will not be surrendered until paid in full.

§ 3. Whereas, there is no provision for a discount for the prompt payment of taxes in cities of the second class, an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval.

By Senator Pogue.

S. B. 395. An Act to amend and re-enact Section 4883 of Carroll's Kentucky Statutes, Edition of 1930, being Section 4 of an Act entitled: "An Act to provide an elective system of Workmen's Compensation for industrial accidents," and known as Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 23, 1916, and the same Act as amended by what is known as Chapter 126 of the Acts of the General Assembly for the year 1918, and approved by the Governor on March 29, 1918, and the same Act as amended by what is known as Chapter 37 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1920, and approved by the Governor on March 22, 1920, and the same Act as amended by what is known as Chapter 50 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1922 and approved by the Governor on March 22, 1922, said sections as amended and to be amended are known as Sections 4880, 4884, 4891, 4892, 4911, 4919, 4923, of Carroll's Kentucky Statutes, Sixth Edition, 1922, and the same Act as amended by what is known as Chapter 70 of the Acts of the General Assembly for the year 1924 and approved by the Governor on March 25, 1924, and the same Act as amended by what is known as Chapter 193 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1926 and approved by the Governor on March 21, 1926.

To Committee on Compensation for Industrial Injuries.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4883 of Carroll's Kentucky Statutes, Edition 1930, be amended by striking out in line 9, the words and figures, "more than one hundred dollars ($100.00) on," and in lines 10, 11, 12, 13 and 14, the following words, "account of the benefits provided by this section, unless the board shall, by order made within that time, direct an extension of said period of treatment or direct an extension of said limit of expense to not exceeding two," and in line 15 the words and figures, "two hundred dollars ($200.00), and in lieu thereof insert the following: "the discretion of the Compensation Board indicates would be fair and in accordance with fees that would be rendered for like services to persons in similar circumstances in the community," and that the section as amended shall read as follows and is hereby re-enacted:

In addition to all other compensation herein provided, such medical, surgical and hospital treatment, including nursing, medical and surgical supplies and appliances, as may reasonably be required at the time of the injury and thereafter during disability, but not exceeding ninety days nor exceeding a total expense to the employer of more than the discretion of the Compensation Board indicates would be fair and in accordance with fees that would be rendered for like services to persons in similar circumstances in the same community to cure and relieve from the effects of the injury shall be furnished by the employer, and, in case of his refusal or neglect reasonably to do so, the employer shall be liable for the reasonable expense, within the limits of this section, incurred by or on behalf of the employe in providing the same. In the event of an emergency, the employe shall have the right to call in any available physician or surgeon to administer such first aid as may be reasonably necessary at the expense of the employer within the limits of this section.

By Senator Williams.

S. B. 396. An Act relating to roads and highways, and

describing and establishing a project to be added to the State Highway System of roads and highways running from State Highway No. 52 at or near the top of Hatton Hollow Hill, via Evelyn and up Rosses Creek to Gentry's Store and thence via the Old Orchard and the Farmer Ridge to Stone Coal Church and thence following substantially the county road via Delvinta School to Idamay, Lee County.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of highways in this Commonwealth, as created by Chapter 17 of the Acts of the General Assembly of 1920 as amended by Session Acts of 1922, 1924, 1926 and 1928, the following project:

Beginning in State Highway No. 52 at or near the top of Hatton Hollow Hill, thence substantially following the County Road to Evelyn, thence crossing the Kentucky River and up Rosses Creek to Gentry's Store, and thence via Old Orchard and the Farmer Ridge to Stone Coal Church, and thence substantially following the County Road via Delvinta School to Ida May, Lee County, and intersecting Project No. — at Ida May; all of said road being in Lee County.

This road thus established to be designated as Project No. — and to be entitled to and receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of highways in the Commonwealth of Kentucky.

By Senator Isaacs.

S. B. 397. An Act to amend and re-enact Section 484, Civil Code of Practice of Kentucky (John D. Carroll's Edi-

tion, 1927) relating to the duties of the Commonwealth attorneys to institute actions against usurpers of county offices and franchises, and defining county offices and franchises.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 484, Civil Code of Practice of Kentucky, John D. Carroll's Edition of 1929, be amended and re-enacted so that when said section is amended and re-enacted it shall read as follows:

It shall be the duty of the several Commonwealth attorneys to institute the actions mentioned in this chapter against usurpers of county offices or franchises, if no other person be entitled thereto, or if the person entitled fail to institute the same during three months after usurpation.

For the purposes of this act and this chapter the following offices are deemed to be county offices: county judge, county attorney, sheriff, county court clerk, circuit court clerk, jailer, county tax commissioner, county superintendent of schools, member of county board of education, justice of the peace, constable, coroner, county surveyor, mayor, police judge, commissioner, councilman, trustee of any town or city, and any other office now existing, or which may hereafter be created, for which the incumbent is elected or appointed to serve within the territorial limits of the county, or any district or subdivision thereof, or any municipal corporation therein, and the fact that the incumbent has certain duties in connection with the collection or expenditure of state taxes or state school funds, or has certain duties in connection with any department of the State government, shall not be construed to remove such office from its classification as a county office.

A county franchise shall be deemed to be a franchise

wholly, or in part, within the county, regardless of the department of the state government or source from which the franchise is granted.

All acts or laws in conflict herewith are hereby repealed.

By Senator Brock.

S. B. 398. An Act to create and establish certain road projects to be a part of the primary road system of the Commonwealth of Kentucky.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary road system of the Commonwealth of Kentucky, a road leading from the mouth of Leather Wood Creek, Perry County, up said creek and across the mountain between Line Fork at said creek and along Line Fork to Project No. 56A at Pine Mountain Settlement School.

§ 2. There is also established as a part of the primary road system of the Commonwealth of Kentucky Project No. 30B-1 leading from Project No. 30B beginning at the mouth of Stoney Fork of Straight Creek, up said creek and down Beech Fork of the Middle Fork of the Kentucky River, to connect with Project No. 556—Harlan-Hyden Road.

§ 3. There is also established as a part of the primary road system of the Commonwealth of Kentucky, Project No. 56A-1, running from Project 56A on Greasy Creek, across to the head of Cutshin Creek, thence down said creek to Route 80, at the Judge William Dixon farm.

§ 4. There is hereby established Project No. 80A as a

part of the primary road system of the Commonwealth of Kentucky a road beginning at the mouth of Bull Creek on the Hyden-Buckhorn Road, thence up Bull Creek and down the left fork of Big Creek, to connect with Route 80.

§ 5. There is hereby established as a part of the primary road system of the Commonwealth of Kentucky, Project 30B-1 beginning at the mouth of Big Creek, Clay County, and running up Red Bird Creek, to Beverly, Ky.

By Senator McCormick.

S. B. 399. An Act relating to intoxicating liquor and to repeal Section 2554a-18, Kentucky Statutes, 1930, Carroll's Edition, being Section 18 of Chapter 33 of the Acts of 1922.

To Committee on Criminal Law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2554a-18, Kentucky Statutes, 1930, Carroll's Edition, being Section 18 of Chapter 33 of the Acts of 1922 session of the General Assembly, be and the same is hereby repealed.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

By Senator Hamilton.

S. B. 400. An Act to provide for the appointment of a County Superintendent of Schools in Counties containing cities of the first or second class, and describing his term of office, qualifications, duties and salary, and repealing all laws or parts of laws in conflict herewith.

To Committee on Municipalities.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The County Board of Education of each County containing cities of the first or second class shall appoint, on the first Monday in January 1933, a County Superintendent of Schools for a term of not more than four years next succeeding his appointment, and he shall hold office until his successor has been appointed and qualified. No person thus appointed shall be eligible to the office who does not hold a proper certificate in scholarship, administration and supervision, as provided by law, provided that all County Superintendents of Schools in Counties containing cities of the first or second class holding office at the time that this Act shall take effect shall continue to serve to the end of the term for which they were originally appointed and until their successors are appointed and qualified, unless removed as provided by this Act, and he shall be eligible for reappointment.

The county superintendent of schools shall devote his entire time to the public school business and shall receive such compensation as the county board of education shall direct to be paid from the county school funds in monthly installments, provided that no county superintendent of schools appointed to office under the provisions of this section shall be paid a salary of less than twelve hundred dollars ($1,200.00) per year. In case of vacancy due to any cause the county board of education shall fill the vacancy and the appointment shall be for the unexpired term, and until his successor shall have been appointed and qualified.

The county superintendent of schools as executive officer of the county board of education, shall see that the laws relating to the schools, the by-laws, rules and regulations of the State Board of Education, and regulations and policies of the county board of education are carried into effect.

The county superintendent of schools shall recommend for condemnation, school buildings which are unsanitary and unfit for use. He shall recommend the repairs, the purchase of grounds, school sites and grounds, the sale of the same, and shall cause to be prepared all plans and specifications for remodeling of old buildings, provided that the plans and specifications for any and all buildings to be erected in said county shall be submitted to the State Superintendent of Public Instruction or his agent for approval

The county superintendent shall approve in writing all contracts, of any kind, entered into by the county board of education, and no contract entered into by the county board of education without the written approval of the county superintendent of schools shall be valid.

The county superintendent of schools shall be the representative of the State Superintendent of Public Instruction in all examinations for teachers' certificates, conducted within the county and shall perform such duties connected therewith as may be required by law.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Senator Gates F. Young proposed the following resolution:

SENATE RESOLUTION 35

Resolution providing for furnishing Kentucky Directories.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

1. That the State Librarian is hereby authorized and directed to purchase annually, at not exceeding three dollars per copy, six hundred copies of the book entitled "Kentucky Directory and Blue Book" for the use of the courts, State

and county officers and members of the General Assembly. The Librarian will furnish the members of the General Assembly and such officers as may be designated by the presiding officers of the respective houses a copy of same and will furnish the State officials with copies thereof and will send a copy thereof to the Clerk of the County Court of each county of the State, to be kept in his office. The Librarian will furnish to the Librarian of each State and territory of the union a copy of said book in exchange for similar books from the said states and territories, and a copy to the Librarian of Congress, and deliver to the Secretary of State fifty copies for exchange.

§ 2. It being necessary that the officers should have the books herein provided for, an emergency is declared and this resolution shall take effect upon its adoption and approval by the Governor.

To Committee on Appropriations.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

S. B. 381. An Act to repeal, and amend and re-enact Section 1077b-1, of Carroll's Kentucky Statutes, Baldwin's 1930 Revision, being Chapter 42, page 155, of an Act of March 27, 1926, relating to the appointment of a Trail Commissioner in the County Courts of Counties of this Commonwealth wherein is located a city of the first class, defining his duties and fixing his qualifications, term of office and salary.

Reported with expression of opinion that same ought to pass.

Senator Lloyd of the Committee on Labor and Manufacturing to which had been referred a bill of the following title:

H. B. 18. An Act regulating the hours of labor; provid-

ing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works, and further providing for definition of terms used, enforcement of and penalty for violation of this Act.

Reported with expression of opinion that same ought to pass.

Senator Moore of the Committee on Courts and Legal Procedure, to which had been referred a bill of the following title:

S. B. 296. An Act to amend and re-enact Section 1893a-12, Kentucky Statutes, which is an Act providing for Relief for the Blind so that said section when amended and re-enacted will read as follows:

The Committee on Courts and Legal Procedure proposed the following thereto by way of a substitute therefor.

An Act to amend and re-enact Section 1893a-12, Kentucky Statutes, Carroll's 1930 Edition, relating to the Relief of the Blind.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That Section 1893a-12, Carroll's Kentucky Statutes, 1930 Edition, be amended and re-enacted so that when so amended and re-enacted, it shall read as follows:

That before any person shall be entitled to the benefits of this Act, such persons must have resided in the State of Kentucky not less than ten years and in the county of his residence not less than five years next before the application for relief is made. Such needy blind persons may thereafter file his or her application for relief in the office of the County Court clerk, together with an affidavit sworn to by two reputable land owners in which the applicant is a resident in sup-

port of the facts contained in the application. The said county court clerk shall thereafter refer the applicant to the County Health Officer who shall diligently examine the eyes of the applicant and if said applicant is found totally blind, he shall report the facts of the case to the County Judge. If it is found that the applicant is totally blind and otherwise eligible according to the provisions of this act, if determined by the County Judge, such Judge shall thereafter order the name of the applicant to be placed upon the list of the needy blind of the County.

Reported with the expression of opinion that the substitute for same ought to pass.

Senator Rogers moved that the vote by which a bill of the following title was passed February 17, be reconsidered:

S. B. 336. An Act to amend and re-enact Subsection 2a of Section 938e of Carroll's Kentucky Statutes, 1930 Edition, authorizing the County Board of Health in counties embracing cities of the fifth class to contract for hospital facilities and providing for a county levy therefor so as to extend the provisions of said subsection to counties having a city or cities of the fourth class.

The question being taken thereon, was decided in the affirmative by a majority of the members elected.

Therefore, said bill was again placed in the Orders of the Day.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 145. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky.

Senator Humphreys moved that said bill be recommitted to the Committee on Public Health.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

Senator Ryans moved that the Senate recess until 2 o'clock P. M. for the purpose of hearing Governor Harry F. Byrd of Virginia address the General Assembly.

Said motion was agreed to.

The Senate reconvened at 2 o'clock P. M.

Senator Moss moved that the privileges of the floor be extended to Messrs. Walter B. Smith and Flem. Smith.

Said motion was agreed to.

Senator Yates moved that the privileges of the floor be extended to Mrs. Katherine Mullen of Columbia.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor be extended to Mr. E. J. Beers of Winchester.

Said motion was agreed to.

Senator Gates F. Young moved that the privileges of the floor be extended to Mr. Walter B. Smith of Pineville and Messrs. John Whittaker and Beauchamp of Russellville.

Said motion was agreed to.

Senator Moss moved that the privileges of the floor be extended to Messrs. Frank L. Lee, Howard J. Douglas, Fred Smith, Ike Susburg and Sol Garber.

Said motion was agreed to.

Senator Rose moved that the privileges of the floor be extended to Messrs. A. C. Knapp, Wyatt Couper, F. S. Webb, R. T. Kinnard and J. M. Theobald.

Said motion was agreed to.

Senator Ryans moved that the privileges of the floor be extended to Messrs. Rudolph V. Miersch and Elmer G. Davis.

Said motion was agreed to.

Senator Ragan moved that the privileges of the floor be extended to Messrs. Frank Roll, Frank Sauer, Henry Meister and Louis Hindiman of Newport.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 374. An Act taxing physicians or other persons writing or issuing prescriptions for spirituous, vinous and malt liquors, narcotics and other harmful drugs.

Senator Holloway moved that said bill be recommitted to the Committee on Public Health.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

CALENDAR

Senator Gates Young moved that the second reading of bills at length be dispensed with and that they be read by their titles only.

Said motion was agreed to by a majority of members elected.

It was ordered that said bills be read by titles only and placed in Orders of the Day.

Titles of bills are as follows:

S. B. 284. An Act establishing as a part of the primary system of State highways, a road from a point on State Project 62 at the mouth of Road Fork of Big Creek, thence running down Big Creek to the mouth thereof intersecting with State Project No. — in Pike County.

S. B. 281. An Act establishing as part of the primary system of State highways, a road from mouth of Brushy to mouth of Turkey Creek.

S. B. 72. An Act relating to roads and bridges and amending Chapter 398 of the Acts of the General Assembly, 1928, bearing upon Road Project 433, striking from the said road project as set out in said chapter certain directions and points designated in said chapter for said road to pass.

S. B. 292. An Act to add to the State primary highway system, a road leading from Union County line, opposite Sturgis, Ky., to Dam No. 50, in Crittenden County, Kentucky.

S. B. 297. An Act to add to the primary system of public highways, a road leading from Homer Felts on Armstrong Street, thence with the old Nashville Pike to the intersection of the present Nashville Pike at the top of Gardner's Hill.

S. B. 301. An Act to establish and create a road beginning at Summersville in Green County, Kentucky, and to run by the way of Bengal, Taylor County, and by Swinneyville, Taylor County, and by Woodlawn Schoolhouse in Taylor County, then on the Campbellsville and Greensburg Highway to Campbellsville, Taylor County, Kentucky, thence to Spurlington, Taylor County, thence to Merrimac, thence to the Lebanon and Liberty State highway in Marion County by way of Ellis Gap.

S. B. 308. An Act establishing as a part of the primary system of State highways a road beginning at Elizabethtown, Ky., in Hardin County, and running thence via Bethlehem Academy, Blue Ball Church, Four Corners to Big Spring, intersecting the proposed Lincoln Highway at Big Spring in Hardin County, Kentucky.

S. B. 311. An Act establishing a road from New Haven, Nelson County, Kentucky, by way of Roanoke to Elizabethtown in Hardin County, Kentucky, as a State primary road, and designating said road as Project No. —.

S. B. 314. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 318. An Act establishing and creating as a part of the primary system of the State highways of the Commonwealth of Kentucky a road from Four Mile in Bell County up Four Mile Creek to Ivy Grove, and thence down Moore's Creek to a point in the Stinking Creek Road near DeWitt, Knox County.

S. B. 324. An Act to establish as part of State highways, a road beginning at Gratz, Ky., on Owen County side, thence by Monterey, Ky., by way of Gaphill and Pond Branch up Kentucky River.

S. B. 338. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 345. An Act designating and establishing as part of the primary system of State highways of the Commonwealth of Kentucky and as a part of the project leading from Beattyville, Ky., to Jackson, Ky., a road beginning at a point in the State highway at the mouth of Dunnigan's Branch in Lee County by the way of Long Shoal Schoolhouse, Tallega, Atol, Oakdale, to Jackson, Ky.

S. B. 367. An Act to amend and re-enact Section 1222, Kentucky Statutes, 1930, Chapter 182, Section 95, Session Acts of 1893.

S. B. 133. An Act to amend and re-enact Section 2 of Section 606 of Carroll's Kentucky Civil Code of Practice.

S. B. 320. An Act adopting as the law of the Commonwealth of Kentucky the issue of civil and criminal codes of practice of Kentucky compiled by Judge Richard Priest Dietzman and issued in the year 1932 and published by the Baldwin Law Publishing Company, and known as Carroll's Civil and Criminal Kentucky Codes, providing further that this Act shall not be construed to render valid or invalid any section or part thereof embraced in said codes, or repeal any section or part thereof not included in said codes.

H. B. 22. An Act to make June 3 "Confederate Memorial Day" a legal holiday.

S. B. 360. An Act entitled, "An Act prohibiting the possession, sale, or manufacture in other than its natural state, Marahaunna, Indian Hemp, or Hasheesh, except for medicinal or scientific purposes, and prescribing the penalties for violation thereof.

H. B. 212. An Act to make it compulsory for the owners of all trucks used for the purpose of hauling livestock, in the Commonwealth of Kentucky, to have the name of the owner or owners of said trucks painted on both sides and on the rear of said trucks, in letters five inches high and providing a penalty for the violation thereof.

S. B. 304. An Act to amend and re-enact Section 762a-20, Kentucky Statutes, Carroll's 1930 Edition, relating to the writing of insurance through licensed agents within this Commonwealth, and prescribing penalties for violation of the provisions of this act.

H. B. 19. An Act relating to roads and bridges and

establishing as a part of the primary system of State highways a road leading from a point on United States Highway 227 where the Elk Ridge and Lusby road intersects, same through Lusby to United States Highway 25 at or near Corinth in Grant County, Kentucky, and designating the same as State Project No. —.

H. B. 33. An Act to establish as part of the primary road system of roads and highways of this Commonwealth a road beginning at State Project No. 55, known as Carrollton-New Castle road at a point known as the William Jenkins farm, and extending in a westerly direction to Providence Church, thence in a northwesterly direction to U. S. Highway No. 42, at a point near the mouth of Daugherty Creek, or from Providence Church in a northwesterly direction to a point intersecting State Project No. 37 at a point near Ewing's Ford.

H. B. 42. An Act to establish as a part of the State primary road system a road to be known as Project No. —, to lead from Project No. 19½ at Buckner in Oldham County, Kentucky, by way of Cedar Point, Jack Smoot farm, and Barbara Basler farm to connect with Project No. 13, at the Liberty Church in Oldham County.

H. B. 49. An Act relating to roads and highways.

H. B. 50. An Act to amend and re-enact Chapter 269, page 380, of the Acts of the General Assembly of 1924, which is Project No. 126, of Section 4356t-5, of Baldwin's Kentucky Statute Service of Carroll's Kentucky Statutes, relating to roads and bridges and establishing a system of primary roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of same.

H. B. 51. An Act to establish a primary road project to be known as Project No. —, to begin at Piqua in Robertson County, and extend to U. S. Highway No. 67, near its junction with State Project No. 61 in Nicholas County.

H. B. 77. An Act establishing as a part of the primary

system of State highways a road beginning at Elizabethtown, Ky., in Hardin County, and running thence via Bethlehem Academy, Blue Ball Church, Four Corners, to Big Spring, intersecting the proposed Lincoln Highway at Big Spring in Hardin County, Kentucky.

H. B. 86. An Act extending the Garrett Highway from the mouth of Wolf Creek and up Wolf Creek to the Pike and Williamson State Road.

H. B. 106. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road located in Muhlenberg County, beginning at the city limits of Central City, running in a southern direction through Stringtown to Rosewood, thence to Project No. 98, near the Muhlenberg and Todd County line.

H. B. 124. An Act relating to roads and highways.

H. B. 138. An Act to add to the primary road system of the State.

H. B. 139. An Act establishing as a part of the system of State highways, a road from Letcher Gap, to Cold Springs, etc.

H. B. 159. An Act to establish a road and make part of the State primary system, a road from Windyville in Edmonson County to connect with the State highway near Honaker's Ferry in Warren County.

H. B. 166. An Act creating and establishing as a part of the State Primary System of Roads and Highways a road Project, leading from U. S. Highway No. 25, near Turkey Creek, via Girdler, to Tom Jones' Farm on Big Richland Creek; in Knox County, Kentucky, said road to be known and designated as the "James D. Black Highway."

H. B. 191. An Act establishing as a part of the Primary

System of State Highways of the Commonwealth of Kentucky a road from Thurlow, Green County, by way of Pierce, Crailhope to Three Springs, Hart County.

H. B. 203. An Act relating to road and to establish as a part of Primary Highway System a road from North Grassy in Magoffin County via Hindman, Kentucky, to a point on 15 near Cody, Kentucky.

H. B. 213. An Act to add to the State primary system of roads the route from Denniston, Menifee County, Kentucky, by way of Pomeroyton in Menifee County, Kentucky, to a point on the Kentucky-Virginia Highway about three miles east of Campton in Wolfe County, Kentucky.

H. B. 214. An Act to add to the primary system of roads of the Commonwealth of Kentucky the route from Frenchburg in Menifee County, Kentucky, down Beaver Creek through Scranton, Menifee County, Kentucky to the mouth of said Beaver Creek at Licking River in Menifee County, Kentucky.

H. B. 22. An Act relating to roads and highways and establishing a road beginning at Old Cedar Baptist Church near Monterey on road project FA221 and known as the Owenton-Monterey-Frankfort road and running southeast via, Truesville, Tackets Mill, Owen County, Elmville, Franklin County and intersecting with project U. S. 227 about one mile north of Stamping Ground, Kentucky in Scott County.

H. B. 228. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from the corporation limits of Scottsville, Kentucky, to the Tennessee State Line, known now as the Hartsville, road, which passes Shady Grove School House and Farm of H. C. Dobbs.

H. B. 229. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky,

a road leading from the corporation limits of Scottsville, Kentucky to Brown's Ford Bridge, via Maynard, Kentucky:

H. B. 230. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from Fitzpatricks Store, two miles southeast of Scottsville, on the Scottsville and Holland Pike, in Allen County, to the Tennessee State line, via Lucy A. Bradley Farm and Mount Union Church.

H. B. 235. An Act establishing State Highway Project, No. 235.

H. B. 237. An Act to establish as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road commencing at the Richmond and McKee State Highway No. 21, running down Red Lick to Station Camp Creek, in Estill County, Kentucky to the State Highway Project No. 83.

H. B. 240. An Act establishing the road commencing at Gest, Henry County via Sandripple through LeCompt's Bottom by the Mouth of Flat Creek to intersect No. 37 at a point near Bald Knob High School, in Franklin County as part of the State Highway System.

H. B. 242. An Act to establish a new State primary road project, to be known as project No. — beginning at Corydon on U. S. Highway No. 60, in Henderson County, Kentucky, and known as upper Corydon, road, and extending in a northwestern direction to Smith's Hill, in Henderson County, Kentucky, a distance of approximately 4½ miles.

H. B. 247. An Act relating to roads and highways and establishing a road beginning at the Georgetown, Stamping Ground and Owenton road known as project U. S. 227 at the place where the turnpike leading from New to Fairbanks, Kentucky crosses said Owenton, Stamping Ground and Georgetown road in Owen County, and running eastward to Fairbanks, crossing Caney Creek and intersecting with the

Lees Mill and New Columbus Pike at the Hunter residence, thence to Natlee, New Columbus and Corinth, intersecting with the Dixie Highway at Corinth, Kentucky.

H. B. 225. An Act establishing a road leading from Flippin to Jeffery to or near Mud Lick.

H. B. 263. An Act relating to roads and Highways provided for making a part of the primary road system of the Commonwealth of Kentucky a project running from the highway near West Fort Church in Calloway County, Kentucky, north via of Kirksy, North intersecting highway in Marshall County, Kentucky.

H. B. 264. An Act establishing as a part of the primary system of State highways a road running from the intersection of the Carrollton and Eagle turnpike with project 59 of the primary system of State highways near Cap Hill in Carroll County, Kentucky to Wheatley, Kentucky via Easterday, Kentucky and Eagle Station, Kentucky, and designating said road as project 59C.

H. B. 265. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road running from Worthville to Sanders in Carroll County, Kentucky and designating said road as project 59D.

H. B. 274. An Act to establish a primary road project from the mouth of Emily Creek in Martin County thence up Emily Creek to the mouth of Copers Mine thence up Copers mine and across the hill to Lick Branch to the Pike County line on the waters of Big creek.

H. B. 282. An Act establishing State primary road project No. — from Benton, in Marshall County, to Bardwell, in Carlisle County by way of Boaz and Lowes in Graves County, Kentucky.

H. B. 283. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating and establishing primary

State roads, by adding thereto project No. — described as beginning at a point in road running from Simpsonville and Chestnut Grove, in Shelby County, Kentucky, and running by way of Todds Point and Floydsburg and connecting with State Highway 22 at Crestwood, in Oldham County, Kentucky.

H. B. 286. An Act to establish a primary road project from the end of West 12th Street at the city limits, to Barren River Church, connecting with State project No. 410.

H. B. 287. An Act establishing as a part of the primary system of State highways a road to be known as project No. — beginning at a point on Highway No. 71 at Hadley, Warren County, Kentucky, by way of Ebenezer Church and Cave Hill to Richelieu, Logan County, Kentucky.

H. B. 289. An Act relating to roads and highways.

H. B. 290. An Act to establish as a part of the primary road system of the State highway of the Commonwealth of Kentucky, a road leading from Falmouth, Pendleton County, Kentucky, on U. S. Highway No. 27 by the way of Morgan and Cordova to intersect U. S. Highway No. 25, at Corinth, Grant County, Kentucky, and designating same as project No. —.

H. B. 299. An Act to establish as part of the State primary road system a road to be known as project —, starting on highway 81 at Calhoun, by the Poverty and Mt. Vernon Church near Lemore, connecting at Wrightsburg.

H. B. 301. An Act creating and establishing as a part of the primary system of State Highways of the Commonwealth of Kentucky a road leading from Willisburg, Washington County, Kentucky, and continuing, via Polin, Mt. Zion and Sutherlands Mill, to Chaplin, Nelson County Kentucky, to be known and designated as project No. —.

H. B. 302. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating and establishing primary

State roads by adding thereto project No. — described as beginning at a point in U. S. Highway No. 42, and running to Wise's Landing.

H. B. 303. An Act to amend Kentucky Statutes 4356t-5, which is an act designating and establishing Primary State Roads by adding thereto project No. —, described as beginning at a point in U. S. Highway No. 42, near Aboott's Store, thence in a northwesterly direction to Hickory Grove Church, thence westerly by the Farm of T. Kidwell to Patton's Creek, thence westerly, by Covington Church to a point in State Highway No. —, near Westport, Kentucky.

H. B. 304. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating and establishing primary State roads, by adding thereto project No. — described as beginning at a point in U. S. Highway No. 42, near the intersection of the Westport County Road, and running with said county road by the farms of Pard Bowling, Richard Ramblen, and W. C. Kelley, to the town of Westport, Kentucky.

H. B. 305. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating and establishing Primary State Roads by adding thereto Project No. — described as beginning at a point in State road No. 37, near Humphery Gividen's, in Trimble County and running over county road known as Webb and Foree, intersecting State road No. 63, in the town of Sulphur, Henry County, Kentucky.

H. B. 306. An Act to establish a primary road project to be known as Project No. — beginning where the Steel Bridge crosses Watts Creek in Whitley County, Kentucky, at a point in the State Road No. 25-W, two miles north of Williamsburg via Gold Bug to Youngs Creek Post Office and connecting with the Corbin and Cumberland Falls Road.

H. B. 308. An Act to establish as a part of the State primary road system a road to be known as project No. —, to lead from a point on highway No. 60, at or near Nick Mills farm in Meade County Kentucky, thence in westerly direction

to or near Jim Kings farm, thence to Arnold School House and intersecting primary State road at Frymire, Kentucky.

H. B. 309. An Act to establish as a part of the State primary road system a road to be known as project No. —, to lead from primary State road near Ekron where Hill Grove Road intersects primary State road, thence to Aldrich Shackletts farm and thence to Hill Grove School and Church, thence to Big Spring intersecting Lincoln Highway Route by way of Meadeville and Hall School House, in Meade County, Kentucky.

H. B. 315. An Act to establish as a part of the primary system of the State highways a road from near mouth Abner Fork of Beaver Creek to the upper end of town of Weeksberry, Kentucky.

H. B. 327. An Act creating and establishing as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road extending the Doctor Thomas Walker Memorial Highway from the present terminus of said highway, via Indian Creek to connect in Knox County with the road leading from Dishman Springs to Williamsburg.

H. B. 328. An Act creating and establishing as a part of the State primary system of roads and highways, a road project leading from Corbin, Knox, County, Kentucky, via Wilton to the Highway leading from Barbourville to Williamsburg, in Knox, county, Kentucky.

H. B. 329. An Act creating and establishing as a part of the State primary system of roads and highways a road project, beginning at Fount and leading to the road fork of Stinking Creek, in Knox County, Kentucky.

H. B. 330. An Act creating and establishing as a part of the State primary system of roads and highways a road project leading from U. S. Highway No. 25, at Evergreen, Kentucky, near Flat Lick and running through old Flat Lick, in

Knox County, Kentucky, and thence to the mouth of Moore's Creek and up Moore's Creek to the Bell County line.

H. B. 349. An Act to establish a primary road project from a point in the Glenn Lily Road to a point, on State highway No. 71, near George Jefferson's Property.

H. B. 351. An Act establishing a road project from corporation limits of Scottsville, Kentucky, along present traveled road by Gainesville, Meador, across Osborne Ford on Barren River, by Kepler, Warren County, intersection Bowling Green and Glasgow Road at Kirby Farm.

H. B. 365. An Act to be placed on the State road primary system a road from Biever-Bend Filling Station to Red-Hill School House in Rockcastle County.

H. B. 366. An Act to add to the State primary system of roads, a road from Highway No. 168 near James Bullocks Residence at Maretsburg to Bromo Post Office by J. D. Noe Farm in Rockcastle County.

H. B. 367. An Act to be placed on the State primary system of roads a road from Livingston, the nearest, and most practical route, to the Devoult School House on Skaggs Creek in Rockcastle County.

H. B. 368. An Act creating road project —, beginning at Blackey, Letcher County, Kentucky and extending via Carcassonne Community Center, to State Highway 15.

H. B. 371. An Act establishing as a part of the State primary road system, a road leading from Danville and Lebanon highway 168 and 68 to Penick Station in Marion County, a distance of approximately one-half mile.

H. B. 376. An Act establishing as a State primary road in Allen County a road beginning at Dalton Store on the Scottsville and Lafayette Road and running to Amos via Doddy to Long Creek at the Asbury Napier Ford.

H. B. 377. An Act establishing as a State primary road in Allen County, a road beginning at Luther Stewart's in Allen County, Kentucky, on the Holland and Lafayette pike, and extending to the Monroe County line via the farms of Ralph Johnson, Henry Bandy, Burt Lee and Leo White.

H. B. 379. An Act establishing as part of the primary system of the State highways, a road leading from Milltown, Kentucky, via Portland and Pickett in Adair County, to Mell, Kentucky, in Green County.

H. B. 380. An Act establishing as part of the primary system of the State highways, a road project leading from Milltown, Kentucky to the Columbia and Edmonton Road at or near Union Church in Adair County.

H. B. 381. An Act establishing as part of the primary system of the State highway, a road leading from State project 1-25-255 at or near Hobson in Taylor County to connect with State project 41½ at most available point.

H. B. 382. An Act establishing as part of the primary system of the State highways, a road project leading from Columbia and Edmonton Road at or near Bliss, Kentucky to Columbia and Greensburg road at or near James Grisson farm in Adair County, Kentucky.

H. B. 383. An Act establishing as part of the primary system of the State highway, a road leading from Campbellsville, to Spurlington, in Taylor County.

384. An Act relating to the primary system of roads and highways.

385. An Act relating to the primary system of roads and highways.

H. B. 386. An Act relating to the primary system of roads and highways.

H. B. 388. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at the Allen and Warren County line on the upper Scottsville and Bowling Green Road and extending to Noes Store on the Scottsville and Gainsville road and passing by Britts Mill and Settle, Kentucky.

H. B. 398. An Act creating and establishing as a part of the State primary system of road and highways a road project, beginning at Buckhorn, a city on the middle fork of the Kentucky River; thence, up the same, so as to intersect with project 80, at Hyden, the county seat of Leslie.

H. B. 389. An Act creating and establishing as a part of the State primary system of road and highways a road project, beginning at Pineville, Kentucky, thence, up the right fork of Straight Creek and down the middle ford of the Kentucky River. So as to intersect at a point on the Harlan-Hyden Highway.

H. B. 401. An Act establishing as a part of the Highway system of State roads, a road, leading from Whitesburg, Kentucky, to Linefork Creek to intersect with road Project —.

H. B. 402. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating primary State road, by adding thereto project No. — described as beginning at a point in road 22, in Crestwood, Oldham County, Kentucky, thence by the way of Lake Louisvilla over right of way to road in Jefferson County, Kentucky.

H. B. 404. An Act to establish as a part of the primary system of the State highways of the Commonwealth of Kentucky a road from Summersville by way of Gabe, Gardners Mill, and Quisenberry Chapel, Green County to the Jackson Highway near Lynnwood, Hart County, Kentucky.

H. B. 408. An Act to add to the primary system of roads a road from Nelsons Store to Green Mount Post Office in Laurel County.

H. B. 411. An Act to establish as a part of the primary system of State Highways a road from the Sandy Hook and Louisa road near the J. L. Hullett farm in Lawrence county, to the Mayo Trail on Georges Creek.

H. B. 412. An Act to establish as part of the primary road system of roads and highways of this Commonwealth, a road beginning at the farm of Mike Noe on the Lancaster-Richmond road and extending in a southerly direction, passing the site of "Uncle Tom's Cabin"; thence by the store of Sam Hurt and to the Lancaster-Crab Orchard Road, at or near the bridge over Dix River.

H. B. 415. An Act establishing as a part of the primary system of the State highways a road beginning at Cynthiana, Harrison County, Kentucky, via White Oak, Selma, Fairview, Hinton, to a point on Dixie Highway near Stonewall in Scott County.

H. B. 416. An Act establishing as a part of the primary system of State highway a road beginning at a point on State project 58 at Broadwell, Harrison County, thence via Jacksonville and Centerville to Lexington, Fayette County, Kentucky.

H. B. 420. An Act to add to the primary system of roads in Rockcastle County from the entrance of the Dughill road into Highway 138 to Bishops Store.

H. B. 424. An Act establishing as a part of the primary system of State highways a road beginning at George Reeves farm, in McLean County, Kentucky; thence near Oak Grove Church via Buel, intersecting with route 71 at Flat Buck Creek Church.

H. B. 435. An Act to establish as part of the State primary road system a road to be known as project No. — starting on the Dawson Springs, Providence road near Charleston, Hopkins county, by way of Union Grove, Evans Mill, Waite

School to a point on Dawson Springs-Princeton Road, approximately 3 miles from Dawson Springs.

H. B. 436. An Act to establish as part of the State primary road system a road to be known as project No. —, starting on Highway No. 91. between Crider and Bakers Station via Charlene connecting with Fairview Church on Ollie James Highway.

H. B. 437. An Act to establish as part of the State primary road system a road to be known as Hopson Store in Caldwell County and extending thence to Mallonia, Trigg County, a distance of about 5 miles.

H. B. 438. An Act to establish as part of the State primary road system a road to be known as project No. — beginning on Federal Highway 62, at or near the farm known as the Mollie Pettie farm in Caldwell County, Kentucky, extending thence by Silver Star School House to what is known as the Emerson Place, colored, thence intersecting the Cadiz Road near Jim Tandys place.

H. B. 442. An Act to add to the primary system a road from Elba on the State Highway No. 54 through the town of Delaware, Niagara to Antheston to Highway No. 41 near Henderson.

H. B. 443. An Act establishing as a part of the primary system of State highways a road beginning at a point on State project 21 at Lair, Harrison County, Kentucky thence via a point on 56A near Lebus Quarry, thence with the Grays Run and Mount Vernon Pike to a point in State project 166 thence via White Oak to a point in State project 229 at Breckinridge, Harrison County, Kentucky.

H. B. 444. An Act establishing as a part of the primary system of State highways a road beginning at a point on State project 588 in Harrison County, at Tollgate House, thence via Shady Nook, Morning Glory and Salt Well to Carlisle in Nicholas County.

H. B. 445. An Act establishing as a part of the primary system of State highways a road beginning at a point on the Dixie Highway at Corinth, Grant County, Kentucky thence via Stringtown, Colmansville, Berry, Kelat, Sunrise, to Oddville, Harrison County.

H. B. 451. An Act to add to the primary system of State highways a route starting at Jeffersonville, Montgomery County, at Tabor's Shop by Marion Martin's Farm, thence over Morris Mountain to Cane Creek, thence on to Hower Station, Powell County, Kentucky.

H. B. 453. An Act to establish a primary road project, to be known as project No. —, beginning one-fourth mile south of Flippin, Kentucky, at a point known as the Frain Cemetery on Highway 100, via Deep Ford on Barren River, to Akersville, Kentucky, connecting with Tennessee Highway at Walker Springs.

H. B. 352. An Act relating to roads and bridges and establishing as a part of the primary system of the State highways a road leading from a point where 20th street intersects with Cumberland Avenue in Middlesboro, Bell County, Kentucky, to a point on U. S. Highway 25E.

H. B. 350. An Act relating to roads and bridges and establishing as a part of the primary system of Kentucky a road leading from a point where the Binghamtown cut off intersects with U. S. Highway No. 25E, to a point in Middlesboro, Kentucky, where Fitzpatricks Avenue intersects with Cumberland Avenue.

H. B. 169. An Act creating and establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road leading from Harrodsburg in the County of Mercer to Sparrow in the County of Anderson, to be known and designated as project No. —.

S. B. 309. An Act to create the Office of District Detec-

tive, to the Commonwealth Attorney, in Certain Judicial Districts, composed of Two Counties, and having population of 100,000, or more, according to and as established by the 1930 Federal Census; providing the method of appointment, his compensation and prescribing his duties and tenure of office.

S. B. 355. An Act repealing and re-enacting Chapter 107 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1926 session, same being Section 165-1, to 165-8, inclusive, of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, and also repealing and re-enacting Chapter 11 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1930, same being Sections 165-9 to 165-24, inclusive, Baldwin's 1931 Kentucky Statute Service, Carroll's Kentucky Statutes. Said Acts hereby repealed relate to the creation of an Air Board for Kentucky; provide the number, qualifications, term, powers and other matters relating to said board; provide for the creation of airports, buildings and facilities; provide for the licensing and registration of airmen and aircrafts; authorizing the members of said Board to employ the necessary personnel, and to empower the Air Board of Kentucky to enforce laws relating to aviation.

S. B. 349. An Act enabling cities of the second class to acquire, construct, improve, operate and maintain bridges across navigable streams, and to acquire and operate ferries thereover, so as to connect such cities with an adjoining State; providing for the creation of bridge commissions of such cities and prescribing their powers and duties; authorizing the issuance of revenue bonds of such cities, payable solely from bridge and ferry earnings, to pay the cost of such bridges and improvements thereof and such ferries; providing for the collection of bridge and ferry tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the bridges and ferries; setting forth the conditions upon which such bridges shall become free bridges; providing that no debt of such cities shall be incurred in the exercise of any of the powers granted by this act; providing for condemnation.

S. B. 298. An Act to amend section 9 of Chapter 64 of the Acts of the General Assembly of the Commonwealth of Kentucky 1924, entitled, "An Act relating to registration for elections in cities and towns having a population of five thousand inhabitants or more" approved March 21, 1924.

H. B. 143. An Act relating to issuing bonds by counties having cities of the second class and by cities of the second class and school boards of cities of the second class in the Commonwealth of Kentucky and prohibiting the issuing of bonds for any purpose whatsoever by cities school board, and counties having cities therein, except to refund old bonds for the new, or revenue bonds without first submitting the question of issuing said bonds to voters at a regular election held for State, county and city officers and receiving the affirmative vote of two-thirds of the voters voting in said election.

H. B. 241. An Act to repeal and re-enact Section 2043-12 Supplement Carroll's Kentucky Statutes, 1930 Edition, the name being Section 12 of Chapter 52 of the Acts of the General Assembly of 1930 and entitled, "An Act concerning the manner of commitment of incompetent veterans of the World War who are beneficiaries of World War Veterans' Act as amended; and regulating the appointment, defining the duties and governing actions of guardians and committees for beneficiaries of the World War Veteran's Act, as amended, and the World War Adjusted Compensation Act, as amended."

S. B. 116. An Act to amend and re-enact section 4645a-3 and 4645a-4, Carroll's Kentucky Statutes, 1930, Edition, relating to stenographic reporters in circuit courts not in continuous session and fixing and providing for the payment of fees of said stenographic reporters in circuit courts not in continuous session.

S. B. 354. An Act to amend and re-enact Chapter 41 of Carroll's Kentucky Statutes in so far as said action applies to counties containing cities of the First Class, providing for

the adoption of voting machines, providing for the rules and regulations governing the use of said machines.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 30. An Act to repeal and re-enact Section No. 4223c-1, of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

Senator Stewart moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on Public Works; and further providing for definitions of terms used, enforcement of and penalty for violation of this Act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license, and regulating the business of making loans or advancements in the amount or of the value of three hundred dollars or less, secured or unsecured, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest, discount, consideration, or charge than six per centum per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of

wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars or less, providing for the administration of this act, authorizing the making of examinations and investigations and the publications of reports thereof, providing for a review of decisions and findings of the banking commissioner under this act, and repealing so much of Section 4224A, Carroll's Kentucky Statutes, 1930, as applies to persons licensed under this Act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes, 1930, and repealing all acts and parts of Acts in conflict with the provisions of this act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 154. An Act authorizing cities of the fourth and fifth classes to provide insurance or maintenance for arresting officers, who may sustain injury, in discharge of official duty, which incapacitates such officer; and support for widows and orphans of such officers who lose their lives in discharge of official duty, and provide funds and taxes therefor, and procedure for securing same and determining amounts to be paid; and for trials, and appeals concerning same.

Senator Moss moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 1. An Act authorizing, regulating and governing the transportation for compensation of persons and property

by motor vehicles on public highways; giving the Railroad Commission of Kentucky Jurisdiction over such transportation, with authority to fix rates and exercise other powers in connection therewith; providing for the payment of taxes and fees incident thereto; prescribing punishment and penalties; and repealing all laws in conflict herewith.

Senator Booles moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 101. An Act to further regulate motor-trucks, semi-trailer trucks, semi-trailers, and trailers, to enlarge the powers of the State Highway Commission, county courts, and cities and incorporated town in respect thereof, to provide for enforcement of the act and penalties for violations thereof, and repealing all laws inconsistent therewith.

Senator Booles moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 36. An Act relating to the licenses of the business or occupation of contracting painting or decorating, in cities of the first and second class and requiring such contracting painter or decorator to obtain permits from said city and making it the duty of said city to issue permits before doing any painting or decorating and providing penalties for the violating of said Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 162. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky. Passed March 1912.

Senator Moore moved that said bill be recommitted with leave to report at any time.

The yeas and nays being demanded thereon by Senators Humphreys and McCormick, resulted as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	Thos. O. Turner
Walter N. Flippin	E. C. Moore	Fred C. VanHoose
J. S. W. Holloway	J. M. Rose	Sewell B. Williams
Wm. Isaacs	Joe Stewart	—11

Those who voted in the negative were:

W. W. Booles	Alex E. Johnson	Marion F. Pogue
H. M. Brock	L. C. Littrell	Dr. G. W. Ragan
Dr. T. J. Edge	Frank I. Lloyd	O. M. Rogers
Thos. C. Ferguson	C.T.McCormick,Sr.	Dr. Lewis Ryans
Chas. G. Franklin	Wm. Mehler	E. D. Stephenson
Perry B. Gaines	Ray B. Moss	F. M. White
Robert Humphreys	D. C. Naive	—20

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

CONTINUANCE OF BOARD AND MANNER OF APPOINTMENT

§ 1. That the Kentucky State Board of Dental Examiners heretofore created be continued, to consist of five prac-

ticing dentists, whose duty it shall be to carry out the purposes and enforce the provisions of this Act as hereafter specified. The members of said Board shall be appointed by the Governor from a list of three names, to be recommended by the Kentucky State Dental Association, at its annual meeting, and at the time of their appointment upon said board must have been actual residents and legally licensed practicing dentists of this State for a period of five years or more immediately preceding their appointment: Provided, however, That no person shall be eligible to appointment to said board who is in any way connected with or interested in any dental college or dental department of any institution of learning or dental supply business. The term for which the members of said board shall hold office shall be five years, provided the present members of the board in office at the time of the passage of this act shall continue in office until their respective terms have expired and until their successors are appointed and qualified. All vacancies in said board shall be filled by the Governor from said list.

OFFICERS, MEETINGS, RECORDS, ETC.

§ 2. Said Board of Dental Examiners shall choose one of its members President, and one Secretary-Treasurer, thereof, at an annual meeting on the first Tuesday in June of each year. Said board may meet oftener if necessary in the discretion of the board at such places as it may deem proper, for the examination of applicants who desire to practice dentistry in this State, and for the transaction of any other business that may come before it. Said board shall keep a record book in which shall be registered the names, addresses, license numbers, of all persons legally entitled to practice dentistry in this State. A majority of the members of said board shall at all times constitute a quorum for the transaction of business, and the proceedings of said board shall be recorded in a minute book open at all reasonable times to public inspection. The Secretary-Treasurer shall execute to the said board bond with approved security for the faithful performance of his duties.

LICENSES AND REGISTRATION AND HOW GRANTED

§ 3. No person shall practice dentistry in this State or attempt to do so after the passage of this Act without first applying for and obtaining a license for such purpose from the said Kentucky State Board of Dental Examiners, and registering such license as herein provided, and this provision applies to all persons whether they have heretofore practiced dentistry or not in this State, except such persons as have been heretofore licensed and registered. Application shall be made to the said board in writing for license and shall in every instance be accompanied by the examination fee of Forty Dollars, which sum is authorized to be charged for each examination by said board. The applicant must be of good moral character, at least twenty-one years of age at the time of making the application, and the application of each person seeking a license must be accompanied by satisfactory evidence to said board that the applicant so applying is a graduate of and has a diploma from the faculty of a reputable dental college, school, or dental department of a reputable university, rated as A or B by the Dental Educational Council of America and should the Dental Educational Council of America cease to exist the board of examiners shall rate dental colleges, dental schools, or dental departments of a university. Examinations must be clinical and written and of such a character as to satisfactorily test the qualifications of the applicant to practice dentistry, and the board may, in its discretion, refuse to grant license to any person they find guilty of cheating, deception, or fraud during such examination. Examination papers and clinical examination results where possible shall be retained by the secretary of the board for a period of 5 years.

REGISTERING LICENSE WITH COUNTY CLERK

§ 4. Every person licensed to practice dentistry in this State by the said Kentucky State Board of Dental Examiners, as herein provided shall, before beginning the practice of dentistry, cause said license to be registered with the county clerk of each county in which such person desires to engage

in the practice of dentistry by appearing before such clerk and filing his affidavit, showing that he has been examined and licensed as herein provided, and the county clerk of each county before whom such persons appear shall attest the filing of the license certificate in duplicate on blanks furnished to the licensee by the board, one copy to be retained by the licensee and the other copy to be forwarded to the secretary of the board by the licensee, and the county clerk of each county is authorized to receive a registration fee of fifty cents for each registration.

DISPLAY OF LICENSE AND CERTIFICATE OF REGISTRATION

§ 5. The license to practice dentistry herein provided, and the certificate of registration, (together with the annual renewal certificate) shall at all times be displayed in a conspicuous place in his or her office wherein he or she shall practice the profession of dentistry, and if there are more dentists than one practicing or employed, in any dental office, the proprietor of such office shall post and display or cause to be posted or displayed in like manner the name, license, and registration certificate of each dentist so practicing and so employed therein. Any person practicing dentistry within the meaning of this act, who shall fail to so post and display or cause to be posted or displayed, the name, license, and registration certificate of himself and any person practicing or employed to practice as a dentist in his or her dental office, shall be guilty of a misdemeanor, and upon conviction thereof they shall be subject to a fine of not less than twenty-five dollars nor more than ($50.00) fifty dollars for the first offense, and for every subsequent offense he or she shall be subjected to a fine of not less than one hundred dollars nor more than two hundred and fifty dollars, or by imprisonment for a period of not less than sixty days, or by both such fine and imprisonment, and he or she shall, whenever requested, exhibit such license to members of the Board of Dental Examiners or its authorized agent.

REVOCATION OF LICENSE

§ 6. The State Board of Dental Examiners may refuse

to issue licenses or may suspend or revoke the same for any of the following causes:

1. The presentation to the board of any diploma, license or certificate illegally or fraudulently obtained, or one obtained from an institution which is not reputable, or an unrecognized or irregular institution or State board, or the practice of any fraud or deception. Any person who shall assist any applicant to cheat or deceive the examining board or any member thereof or who shall give or attempt to give assistance to any applicant in the course of his or her examination or assist any applicant to fraudulently obtain any license to which said applicant is not entitled shall upon conviction thereof be adjudged guilty of a misdemeanor.

2. The commission of a criminal operation or conviction of a felony involving moral turpitude, or chronic or persistent inebriety or addiction to drugs, or if the person holding such license shall advertise to practice dentistry without causing pain, or shall in any other manner advertise with a view of deceiving or defrauding the public, or advertise to use any drug, nostrum, patent or other proprietary drug or medicine be guilty of any conduct likely to deceive or defraud the public, or which disqualifies the applicant to practice with safety to the people, or who employs directly or indirectly any unregistered or unlicensed person to practice dentistry in his or her office, or be guilty of splitting a professional fee. In all proceedings for a suspension or revocation of license, the holder thereof shall be given thirty days' notice to prepare for a hearing, and he shall be heard in person or by counsel or by both. The President and Secretary of the State Board of Dental Examiners shall have the power to administer oaths, in the hearing of all matters arising in the course of their duties, and in such trials as are herein referred to the State Board of Dental Examiners may take oral or written proof for or against the complainant, as it may deem will best present the facts. The Board of Dental Examiners shall have the right and power to issue subpoenas and thereby compel the attendance of persons before it for the purpose of examination into any facts or conditions which may be properly

pending before said board for its action. On all of refusal to issue license, suspension or revocation, the applicant or holder may appeal to the Governor of the State within thirty days after such action by the State Board of Dental Examiners.

FAILURE TO REGISTER LICENSE

§ 7. Any failure, neglect or refusal on the part of any person obtaining a license to practice dentistry from the State Board of Dental Examiners, to register said license with the county clerk of some county in this State within ninety days from the date of the issual of such license, on removal to another county within the State, to cause his license to be registered in the same manner as above provided, shall work a forfeiture of such license, and no license when once forfeited shall be restored except upon payment to the said board of the sum of twenty-five dollars for such neglect, failure, or refusal to register such license.

EXAMINATION FEES AND COMPENSATION TO MEMBERS OF THE BOARD

§ 8. In order to provide the means for carrying out and enforcing the provisions of this Act, the said board shall charge each person applying for an examination for a license to practice dentistry in this State an examination fee of Forty Dollars, and in addition thereto, a fee of Five Dollars for every license and Five Dollars for every duplicate license issued by said board, and out of the funds coming into possession of the said board under the provisions of this Act, the members of said board shall each receive as compensation the sum of Five Dollars for each day actually engaged in duties of the office, and all necessary expenses incurred in attending the meetings of said board; provided that the Secretary of the board shall be allowed a reasonable salary to be fixed by the board and no per diem; all expenses shall be paid from the fees and penalties received and recovered by the board under the provisions of this Act; provided that no part of said expenses shall be paid out of the State Treasury.

All money received in excess of said per diem allowances and other expenses, herein provided, shall be held by the Secretary-Treasurer of said board, as a special fund for meeting the other expenses of said board, and for such use as the said board may deem necessary in the enforcement of this Act, and said board shall make an annual report of its proceedings to the Governor on or before the 31st day of December each year, showing all money received and disbursed by it pursuant to this Act.

RENEWAL CERTIFICATES OF LICENSE

§ 9. On or before the 31st day of December each year, every dentist legally licensed to practice dentistry in this State shall transmit to the Secretary of the said Board of Dental Examiners his signature and address, together with the fee of Three Dollars and the number of his or her registration certificate, and receive therefore a renewal license certificate. Provided that the license shall not be renewed, if the holder thereof has not been in active practice for five years immediately preceding. Any license granted by said board shall be cancelled and annulled if the holder thereof fails to secure the renewal certificate herein provided for by March 1st of each year, provided any license thus cancelled may be restored by the board upon the payment of fee of Twenty-Five Dollars if paid within one year after such cancellation.

PENALTY FOR FRAUD IN OBTAINING CERTIFICATE OF REGISTRATION

§ 10. Any person filing or attempting to file as his own the diploma or license of another, or a forged affidavit of identification or qualification, shall be deemed guilty of a felony and be punished upon conviction by imprisonment in the penitentiary of not less than one nor more than five years.

DENTISTRY DEFINED

§ 11. Any person shall be regarded as practicing dentistry, within the meaning of this act, who shall diagnose or profess to diagnose, X-Ray, or treat or profess to treat, any

of the diseases or lesions of the oral cavity, teeth, gums, maxillary bones (or their dependent tissues), or extract teeth, or shall prepare or fill cavities in human teeth, correct malposition of teeth or jaws or supply artificial teeth as substitutes for natural teeth, or administer anesthetics, general or local, or any other practice included in the curricula of recognized dental colleges, or who shall use the word "Dentist," Dental surgeon, the letters D. D. S., or other letters or titles in connection with his or her name or in any other manner represent themselves as being engaged in the practice of dentistry. Provided, that nothing in this Act shall be so construed as to prevent regularly licensed physicians and surgeons from extracting teeth or treating any diseases coming within the province of the practice of medicine.

EXEMPTION FROM JURY SERVICE

§ 12. All dentists of this State shall be exempt from service as jurors in any of the courts of this State.

SIGNATURES, SEAL, ETC., ON LICENSE

§ 13. All license issued by said board shall bear a serial number, the full name of the applicant, the date of the issue, the seal of the board, and be signed by a majority of the members and attested by its President and Secretary.

UNLAWFUL TO PRACTICE UNDER NAME OF A COMPANY

§ 14. It shall be unlawful for any person or persons to practice or offer to practice dentistry or dental surgery under the name of any company, association, or corporation, and every person or persons practicing or offering to practice dentistry or dental surgery, shall practice under his or her own respective name or names only, and shall not use his name in connection with that of another dentist.

DENTAL RECIPROCITY

§ 15. Said board may in its discretion issue a license to practice dentistry without examination other than clinical to

a legal and ethical practitioner of dentistry who removes to Kentucky from another State or territory of the United States, whose standard of requirement is equal of that of Kentucky, and in which he or she conducted a legal and ethical practice of dentistry for at least five years immediately preceding his or her removal, provided such applicant shall present a certificate from the dental board of a like board of the State or territory from which he or she removes, certifying that he or she is a legal, competent and ethical dentist, and of good moral character: and provided further, that such certificate is presented to the Kentucky State Board of Dental Examiners within six months from the date of its issue, and that the board of such other State or territory shall permit in like manner by law the recognition of licenses issued by the Kentucky State Board of Dental Examiners when presented to such other board by legal practitioners of dentistry from this State who may wish to remove to or practice in such other State or territory.

RECIPROCITY LEAVING STATE

§ 16. Any one who is a legal, ethical and competent practitioner of dentistry in the State of Kentucky, and of good moral character, and known to the Board of Dental Examiners as such, who shall desire to change his or her residence to another State or territory, or foreign country, shall upon application to the said Board of Dental Examiners of this State, receive a special certificate over the signature of the president and secretary of said board and bearing its seal, which shall attest the facts above mentioned in section 15 and give the data upon which he or she was registered and licensed.

RECIPROCITY FEES

§ 17. The fee for issuing a license to a legal practitioner from another State, as provided in section 15, shall be sixty dollars, and the fee for issuing a certificate to the legal practitioner in this State as provided in section 16, shall be five dollars, and in each case the fee shall be paid in cash before the license or certificate respectively shall be issued.

PENALTY FOR PRACTICING WITHOUT LICENSE OR CERTIFICATE

§ 18. Any person who shall practice or attempt to practice dentistry in this State without having been licensed and registered for that purpose, as herein provided, or who shall violate any of the provisions of this Act, for which no specific penalty has been provided herein, shall be subject to fine of not less than one hundred dollars nor more than five hundred dollars for the first offense. Each offense shall constitute a practicing of dentistry within the meaning of this Act, and each day that a person shall hold himself out as practicing dentistry within the meaning of this act, and each day that a person shall hold himself out as practicing in any name except his own shall be deemed a separate offense. Any person who shall be guilty of a second offense shall be deemed guilty of a felony and upon conviction shall be punished by a fine of one hundred dollars nor more than five hundred dollars or imprisonment of six months or both. The opening of an office for the purpose of practicing dentistry, or to announce to the public in any way a readiness to do any act defined herein as being dentistry, shall be deemed to engage in the practice of dentistry, within the meaning of this act.

DISPOSITION OF FEES

§ 19. All fees, imposed and collected under the provisions of this Act, shall be paid to the Secretary-Treasurer of the Kentucky State Board of Dental Examiners for the use of said Board.

DRUGGISTS MAY FILL DENTISTS' PRESCRIPTIONS

§ 20. Legally licensed druggists of this State may fill prescriptions of legally licensed dentists of this State for any drug necessary to the practice of dentistry. Dentists may sign death certificates the same as physicians, when necessary in the line of their profession.

§ 21. This Act shall not prevent students from performing dental operations under the supervision of competent instructors within the dental school, college, or dental depart-

ment of a university recognized by the Kentucky State Board of Dental Examiners: Provided, the board at its discretion may authorize the students of any dental college, dental school, or dental department of a university to practice dentistry, in any of the State or municipal institutions or public schools or under the board of health, or public clinic, or charitable institution; provided they are at all times under the direct supervision of a licensed dentist in Kentucky, who is an instructor of the institution at which the students are studying.

The provisions of this act are severable, and if any of its provisions shall be held unconstitutional the decisions of courts shall not affect or impair any of the remaining provisions of this act. It is hereby declared as a legislative intent that this act would have been adopted had not such unconstitutional provisions been included therein.

REPEALING FORMER DENTAL LAWS

§ 22. All laws or parts of laws in conflict with this Act are hereby repealed.

Ordered that said bill be read the third time.

Senator Humphreys moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	Alex E. Johnson	Dr. G. W. Ragan
H. M. Brock	L. C. Littrell	O. M. Rogers
Dr. T. J. Edge	Frank I. Lloyd	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Thos. O. Turner
Chas. G. Franklin	Ray B. Moss	F. M. White
Perry B. Gaines	D. C. Naive	Gates F. Young
Robert Humphreys	Marion F. Pogue	—23

Those who voted in the negative were:

Jas. H. Bondurant	Silas Jacobs	Joe Stewart
J. S. W. Holloway	E. C. Moore	Fred C. VanHoose
Wm. Isaacs	J. M. Rose	Sewell B. Williams
		—9

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 97. An Act to provide for making and preserving plats of boundaries of cities and taxing districts.

Senator Rogers proposed the following amendment.

Amendment to printed Senate Bill 97.

Strike out of lines six and seven immediately following the word Commonwealth, the following words, "And which has or now or hereafter existing in this Commonwealth."

Senator Rogers moved the adoption of said amendment.

The question being taken thereon was decided in the affirmative and said amendment was adopted.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That within two years after this act shall go into effect, each municipality (which term shall for the purpose of this act include all incorporated districts, commissions and bodies) now or hereafter existing in this Commonwealth and which has or now or hereafter existing in this Commonwealth, and which has or shall have power to levy taxes or assessments or create liens upon property within its boundaries, shall cause to be made a correct plat thereof as it then exists, on a scale of 1,000 feet to the inch, showing its boundaries and the various roads and streams which enter and leave its boundaries, the locations of its boundaries and corners, with the names and lines of the owners of all acreage tracts through which said boundary travels, and names of the streets and numbers of the lots along or through which it runs.

§ 2. Whenever any such municipality shall propose to increase or decrease its area, it shall in like manner cause to be made and temporarily lodged in the County Clerk's office a similar plat showing the portion so proposed to be added or cut off, and within six months after same becomes effective said plat shall be permanently lodged in the County Clerk's office for record.

§ 3. The County Clerk shall keep in his office a plat book or binder of size for thirteen sheets 18 inches by 25 inches and furnish at cost white eggshell platting sheets mounted on linen 18 inches by 25 inches or at least equal to Fred Proctor's Eggshell draughting paper, with linen hinges. Said plats shall be permanently inserted in the book and consecutively paged, numbered and indexed.

On said sheets shall be placed the correct official name by which said municipality was created and is then known, and the correct reference to the act, ordinance or order by which said boundary was fixed with the book and pages and date, and shall be attested and acknowledged by the highest official of said municipality.

§ 4. This act shall take effect from and after its passage.

Ordered that said bill be read the third time.

Senator Rogers moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	L. C. Littrell	Dr. G. W. Ragan
H. M. Brock	Frank I. Lloyd	R. H. Royster
Thos. C. Ferguson	C.T.McCormick,Sr.	Dr. Lewis Ryans
Chas. G. Franklin	Ray B. Moss	Joe Stewart
J. S. W. Holloway	D. C. Naive	Fred C. VanHoose
Alex E. Johnson	Marion F. Pogue	Gates F. Young

—18

Resolved that the title thereof be as aforesaid.

Senator Rogers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 37. An Act creating a Board of Censors of motion picture films, providing for the appointment of the members thereof by the Governor of the Commonwealth of Kentucky, fixing the terms and salaries of its members, providing for the payment of the expenses of such board, fixing the fees to be charged by such board, providing for the disposition of the funds collected regulating the censorship and exhibition of motion pictures in Kentucky, prohibiting discrimination in favor of or against competing exhibitors having the same or similar accommodations and facilities in the exhibition thereof, and providing penalties for the violation of this Act.

Senator Holloway moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 198. An Act to amend and re-enact Chapter 5 of the Acts of the General Assembly of 1920, being Section 2625 of the Kentucky Statutes, Carroll's Edition, 1930.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 5 of the Acts of the General Assembly of 1920, now compiled as Section 2625 of the Kentucky Statutes, Carroll's Edition, 1930, be and the same is hereby amended, by striking therefrom the whole of that part of said Act, beginning with the words "any person eighteen years of age" appearing on page 6 of the 1920 Session Laws, and ending with the words "Awarded upon examination" appearing on page 8 of said Session Laws, and by adding thereto, and in lieu thereof, the following provision, to-wit:

"Any person now entitled to practice Pharmacy and be-

ing duly licensed by the Kentucky Board of Pharmacy as a Registered Assistant Pharmacist, and being the holder of a certificate to that effect, heretofore issued by said board, said certificate bearing the words 'awarded upon examination,' shall hereafter be entitled to practice as a Registered Pharmacist within the State of Kentucky, and it shall be the duty of the Kentucky Board of Pharmacy, upon demand and a proper showing, to issue to any such person a certificate of registration as now provided by law for Registered Pharmacists, without further examination, and upon surrender to said board of the certificate heretofore issued to him as a Registered Assistant Pharmacist, he shall become and be in all respects, and entitled to all the rights, privileges, and emoluments of, a duly licensed and Registered Pharmacist, within the State of Kentucky, and subject to all laws and regulations now in force and effect, relating to Registered Pharmacists, not inconsistent with this Act,'' so that when said Act is amended and re-enacted, the same shall read as follows, to-wit:

''Any person who is more than twenty-one years of age, of good moral character, possessing such standards of education, both academic and pharmaceutical, and such practical experience as the Kentucky Board of Pharmacy shall from time to time determine, filing written application, properly verified, setting forth his age, residence, education and practical experience as may be required, after passing a satisfactory examination to be conducted in the English language before the Kentucky Board of Pharmacy, under such rules and regulations as the board may determine, shall be entitled to a certificate as a Registered Pharmacist upon the payment of a fee to the Secretary of the Board of not less than ten dollars nor more than twenty-five dollars as said board may from time to time fix.

''Any person now entitled to practice Pharmacy and being duly licensed by the Kentucky Board of Pharmacy as a Registered Assistant Pharmacist, and being the holder of a certificate to that effect, heretofore issued by said board, said

certificate bearing the words 'awarded upon examination,' shall hereafter be entitled to practice as a Registered Pharmacist within the State of Kentucky, and it shall be the duty of the Kentucky Board of Pharmacy, upon demand and a proper showing, to issue to any such person, a certificate of registration as now provided by law for Registered Pharmacists, without further examination, and upon surrender to said board of the certificate heretofore issued to him as a Registered Assistant Pharmacist, he shall become and be in all respects, and entitled to all the right, privileges, and emoluments of, a duly licensed and Registered Pharmacist, within the State of Kentucky, and subject to all laws and regulations now in force and effect, relating to Registered Pharmacists, not inconsistent with this Act.

"Any person filing a false application to any of the facts required herein shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty dollars ($20.00) nor more than one hundred dollars ($100.00), and shall have his certificate of registration revoked. Any Registered Pharmacist who shall be convicted of a felony, or who is proven to be an addict to habit-forming drugs, or who is a habitual drunkard, shall forfeit his certificate to practice Pharmacy. All certificates hereafter issued shall have plainly written, printed, or stamped upon the face thereof the words 'Revokable for causes specified by law' and 'awarded upon examination.' "

§ 2. All laws, or parts of laws, in conflict with this Act are hereby repealed.

Senator Hamilton moved that said bill be recommitted.

The question being taken thereon, was decided in the negative.

Said motion was lost.

Senator Hamilton moved that said bill be given its first

reading, the report of the committee to the contrary notwithstanding.

The yeas and nays being ordered thereon, said motion was lost, according to the rules of the Senate which requires two-thirds of the members elected to give reading.

Those who voted in the negative were:

Jas. H. Bondurant	Robert Humphreys	D. C. Naive
W. W. Booles	Wm. Isaacs	Dr. G. W. Ragan
H. M. Brock	Alex E. Johnson	O. M. Rogers
Edwin C. Dawson	L. C. Littrell	J. M. Rose
Dr. T. J. Edge	Frank I. Lloyd	R. H. Royster
Walter N. Flippin	C. T. McCormick, Sr.	Dr. Lewis Ryans
Arch Hamilton	Wm. Mehler	F. M. White
J. S. W. Holloway	E. C. Moore	—23

Senator Ryans moved that the vote by which said bill was lost be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 152. An Act to repeal Chapter 13 of the Acts of the General Assembly of 1912, same being Sections 4398a-1, 4398a-2, 4398a-3, 4398a-4, 4398a-5, Carroll's 1922 Edition, Kentucky Statutes, relating to the inspection of school funds and authorizing the State Superintendent of Public Instruction to act as Special State Inspector and Examiner of all schools in cities, towns and counties receiving funds directly or indirectly from the State or said cities, towns or counties, and to amend and re-enact Section 4623, Carroll's 1922 Edition, Kentucky Statutes, by adding thereto the following words, to-wit: "It shall be the duty of said State Inspector once each year to inspect and examine into the fiscal management and conduct of the office of all school officials, whose duty it is to receive, handle or disburse the public school

funds of the State or any city, town, county or taxing district, and to make a written report to the Governor and also to the Commonwealth's Attorney and County Attorney of the county or district where such inspection is made."

Senator Williams proposed the following amendment by the way of a substitute therefor:

An Act to repeal Sections 41, 42, 43, 44, and 45 of Chapter 24 of the Acts of the General Assembly of 1916, same being Sections 4398a-1, 4398a-2, 4398a-3, 4398a-4, 4398a-5, Carroll's 1930 Edition, Kentucky Statutes, relating to the inspection of school funds and authorizing the State Superintendent of Public Instruction to act as Special State Inspector and Examiner of all schools in cities, towns and counties receiving funds directly or indirectly from the State or said cities, towns or counties, and to amend and re-enact Section 4623, Carroll's 1930 Edition, Kentucky Statutes, by adding thereto the following words, to-wit: "It shall be the duty of said State Inspector once each year to inspect and examine into the fiscal management and conduct of the office of all school officials, whose duty it is to receive, handle or disburse the public school funds of the State or any city, town, county or taxing district, and to make a written report to the Governor and also to the Commonwealth's Attorney and County Attorney of the county or district where such inspection is made."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sections 4398a-1, 4398a-2, 4398a-3, 4398-4 and 4398a-5, Carroll's Kentucky Statutes, 1930 Edition, being Sections 41, 42, 43, 44, and 45, Chapter 24 of the Acts of the General Assembly of 1916 for the inspection of schools, be and the same is hereby repealed.

§ 2. That Section 4623, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby amended by adding

thereto the following words, to-wit: "It shall be the duty of said State Inspector once each year to inspect and examine into the fiscal management and conduct of the office of all school officials, whose duty it is to receive, handle or disburse the public school funds of the State or any city, town, county or taxing district, and to make a written report to the Governor and also to the Commonwealth's Attorney and County Attorney of the county or district where such inspection is made." So that said section as amended shall read as follows, to-wit:

It shall be the duty of said inspector and examiner once in each year to fully and particularly examine into the management and condition of the Auditor's and Treasurer's and Superintendent of Public Instruction's office and as to whether the laws regulating the official duties of said Auditor and Treasurer and State Superintendent of Public Instruction are being fully complied with by them respectively, and all money received by them for the State is fully accounted for. He shall have authority to investigate and examine into the conduct of all other officers of the Commonwealth, including all county officers who are authorized to receive or collect or disburse any money due or going to the Commonwealth, or who has the management or control of any property belonging to the State, or in which the State is interested, touching his official conduct thereon, or who makes estimates or rolls or records which are used as a basis by any department of the State government in the disbursement of public funds. It shall be the duty of said State Inspector and Examiner once each year to inspect and examine into the fiscal management and conduct of the office of all school officials whose duty it is to receive, handle or disburse the public school funds of the State or any city, town, county or taxing district, and to make a written report to the Governor, the State Superintendent of Public Instruction, the Commonwealth's Attorney and County Attorney of the county or district where such inspection is made; provided, nothing herein shall be construed as repealing that part of Section 4398a-1 of the 1930 Edition of Carroll's Kentucky Statutes, and being

Section 41 of Chapter 24 of the Acts of 1916, allowing and permitting the State Superintendent of Public Instruction the special salary of $1,500.00 per annum specified therein. The same is not intended to be disturbed by this Act.

All Acts and parts of Acts in conflict with this Act are hereby repealed.

The question being taken on the adoption of said substitute was decided in the affirmative. Said substitute was adopted.

Senator Gates F. Young moved that said bill be laid on the table.

The yeas and nays being required thereon by Senators Stephenson and Williams, resulted as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	Alex E. Johnson	R. H. Royster
H. M. Brock	L. C. Littrell	Dr. Lewis Ryans
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	C.T.McCormick,Sr.	Joe Stewart
Thos. C. Ferguson	Wm. Mehler	Thos. O. Turner
Walter N. Flippin	E. C. Moore	Fred C. VanHoose
Chas. G. Franklin	Ray B. Moss	F. M. White
Arch Hamilton	D. C. Naive	W. A. Yates
Robert Humphreys	O. M. Rogers	Gates F. Young
Wm. Isaacs	J. M. Rose	—29

Those who voted in the negative were:

Jas. H. Bondurant	Silas Jacobs	Dr. G. W. Ragan
Perry B. Gaines	Marion F. Pogue	Sewell B. Williams
J. S. W. Holloway		—8

Therefore, said bill was laid on the table.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 92. An Act providing for the licensing of drivers of motor vehicles upon the highways of this Commonwealth, providing for the issuing and revocation of same, the recording of motor vehicle offenses, fixing the amount of said license, and providing penalties for violations.

Senator Lloyd moved that said bill be laid on the table.

The yeas and nays being required thereon by Senators Johnson and Humphreys, resulted as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	J. M. Rose
Thos. C. Ferguson	L. C. Littrell	Thos. O. Turner
Walter N. Flippin	Frank I. Lloyd	Fred C. VanHoose
Robert Humphreys	E. C. Moore	Sewell B. Williams

—12

Those who voted in the negative were:

W. W. Booles	Alex E. Johnson	O. M. Rogers
H. M. Brock	C.T.McCormick,Sr.	R. H. Royster
Edwin C. Dawson	Wm. Mehler	Dr. Lewis Ryans
Chas. G. Franklin	Ray B. Moss	Joe Stewart
Perry B. Gaines	D. C. Naive	W. A. Yates
Arch Hamilton	Marion F. Pogue	Gates F. Young
J. S. W. Holloway	Dr. G. W. Ragan	

—20

Said motion was lost.

Senator Jacobs proposed the following amendment to said bill:

Amend Senate Bill No. 92, printed form, by striking out of Section 2, line 3, the words "County Clerk" and insert in lieu thereof the words "Circuit Clerk." Amend further by striking out of Section 4, line 1, the words "County Clerk" and insert in lieu thereof the words "Circuit Clerk" and by striking out of Section 8 lines 2 and 3, the words "County Clerk" and insert in lieu thereof the words "Circuit Clerk."

Senator Lloyd moved that said amendment be laid on the table.

The yeas and nays being required thereon by Senators Johnson and Ryan, resulted as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	L. C. Littrell	J. M. Rose
Thos. C. Ferguson	Frank I. Lloyd	Thos. O. Turner
Walter N. Flippin	E. C. Moore	Fred C. VanHoose
Robert Humphreys	Dr. G. W. Ragan	Sewell B. Williams
Silas Jacobs		—13

Those who voted in the negative were:

W. W. Booles	C.T.McCormick,Sr.	R. H. Royster
H. M. Brock	Wm. Mehler	Dr. Lewis Ryans
Chas. G. Franklin	Ray B. Moss	E. D. Stephenson
J. S. W. Holloway	D. C. Naive	Joe Stewart
Wm. Isaacs	O. M. Rogers	Gates F. Young
Alex E. Johnson		—16

Therefore said motion was lost.

The question being taken upon the adoption of said amendment, was decided in the negative.

Therefore, said amendment was rejected.

Senator Moore proposed the following amendment to said bill:

Amend by adding to printed S. B. 92 the following: "Provided, however, this Act shall only apply to counties having a city of the first class."

Senator Moore moved the adoption of said amendment.

The yeas and nays being required thereon by Senators Johnson and Ryans, resulted as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	J. M. Rose
H. M. Brock	L. C. Littrell	Thos. O. Turner
Edwin C. Dawson	Frank I. Lloyd	Fred C. VanHoose
Dr. T. J. Edge	Rev. C. D. McCaw	F. M. White
Thos. C. Ferguson	E. C. Moore	Sewell B. Williams
Walter N. Flippin	Marion F. Pogue	
Arch Hamilton	Dr. G. W. Ragan	—19

Those who voted in the negative were:

W. W. Booles	C.T.McCormick,Sr.	R. H. Royster
Chas. G. Franklin	Wm. Mehler	Dr. Lewis Ryans
Perry B. Gaines	Ray B. Moss	Joe Stewart
J. S. W. Holloway	D. C. Naive	Gates F. Young
Alex E. Johnson	O. M. Rogers	—14

Said amendment was adopted.

Senator Johnson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

W. W. Booles	Walter N. Flippin	Perry B. Gaines
H. M. Brock	Chas. G. Franklin	Arch Hamilton

J. S. W. Holloway	Wm. Mehler	Dr. Lewis Ryans
Wm. Isaacs	E. C. Moore	E. D. Stephenson
Alex E. Johnson	D. C. Naive	Joe Stewart
Rev. C. D. McCaw	O. M. Rogers	W. A. Yates
C.T.McCormick,Sr.	R. H. Royster	Allie W. Young

—21

Those who voted in the negative were:

Jas. H. Bondurant	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	Thos. O. Turner
Thos. C. Ferguson	Ray B. Moss	Fred C. VanHoose
Robert Humphreys	Marion F. Pogue	F. M. White
Silas Jacobs	Dr. G. W. Ragan	Sewell B. Williams

—15

Resolved that the title thereof be as aforesaid.

Senator Moore moved that the vote by which said bill was passed be reconsidered.

The yeas and nays being required thereon by Senators Johnson and Ryans, resulted as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	Dr. G. W. Ragan
H. M. Brock	Silas Jacobs	J. M. Rose
Edwin C. Dawson	L. C. Littrell	Thos. O. Turner
Dr. T. J. Edge	Frank I. Lloyd	Fred C. VanHoose
Thos. C. Ferguson	Rev. C. D. McCaw	F. M. White
Walter N. Flippin	E. C. Moore	Sewell B. Williams
Arch Hamilton	Marion F. Pogue	

—20

Those who voted in the negative were:

W. W. Booles	C.T.McCormick,Sr.	R. H. Royster
Chas. G. Franklin	Wm. Mehler	Dr. Lewis Ryans
Perry B. Gaines	Ray B. Moss	Joe Stewart
J. S. W. Holloway	D. C. Naive	Gates F. Young
Alex E. Johnson	O. M. Rogers	

—14

Therefore the vote on said bill was reconsidered.

Senator Brock moved that said bill be made a special order of the day for February 19 at 11 o'clock A. M.

Said motion was agreed to.

Senator Ryans moved that the Senate do now adjourn.

Said motion was agreed to.

FRIDAY, FEBRUARY 19, 1932

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by Rev. Dr. Anderson of Frankfort Presbyterian Church.

The roll of the Senate was called and the following Senators answered to their names:

Jas. H. Bondurant	Silas Jacobs	O. M. Rogers
W. W. Booles	Alex E. Johnson	J. M. Rose
Edwin C. Dawson	L. C. Littrell	Dr. Lewis Ryans
Dr. T. J. Edge	Frank I. Lloyd	E. D. Stephenson
Thos. C. Ferguson	Rev. C. D. McCaw	Joe Stewart
Walter N. Flippin	C.T.McCormick,Sr.	Thos. O. Turner
Chas. G. Franklin	Wm. Mehler	Fred C. VanHoose
Perry B. Gaines	E. C. Moore	F. M. White
Arch Hamilton	Ray B. Moss	Sewell B. Williams
J. S. W. Holloway	D. C. Naive	W. W. Yates
Robert Humphreys	Marion F. Pogue	Allie W. Young
Wm. Isaacs	Dr. G. W. Ragan	—35

Senator Gates F. Young moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Ryans moved that when the Senate adjourn today they do so until 10 o'clock on Tuesday, February 23.

Said motion was agreed to.

Senator Ryans moved that the privileges of the floor be extended to Miss Grace White of Glasgow and Mr. Robert Vaughn of Louisville.

Said motion was agreed to.

Senator Lloyd moved that the privileges of the floor be extended to Mr. L. Vissman of Louisville.

Said motion was agreed to.

Senator Gates F. Young moved that the privileges of the floor be extended to Judge Gozder of Campbellsville.

Said motion was agreed to.

Senator Jacobs moved that the privileges of the floor be extended to Robert Jeanett.

Said motion was agreed to.

Senator Dawson moved that the privileges of the floor be extended to Walker Wilson of Campbellsville.

Said motion was agreed to.

Senator Stewart moved that the privileges of the floor be extended to Misses Clarice Kirk, Mildred Reeves and Sarah Cosby.

Said motion was agreed to.

Bills of the following titles were introduced, referred and ordered printed, as follows, viz.:

By Senator Jacobs.

S. B. 401. An Act to regulate foreign guaranty and surety companies doing business in this Commonwealth.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Each and every fidelity, guaranty, or surety company not organized under the laws of the Commonwealth of Kentucky, having under its charter the power to become surety, shall, as a condition precedent to doing business in the Commonwealth of Kentucky, pay to the State Treasurer an annual license fee equivalent to ten per cent (10%) of the gross premiums of every such company, but in no event shall the annual license fee be less than ten thousand ($10,000) dollars per annum.

§ 2. There is hereby established a rating bureau, the personnel of which shall consist of the Auditor of Public Accounts, as Chairman, the Insurance Commissioner, who shall act as Secretary, and some person resident and domiciled within the State of Kentucky to be chosen by a majority vote of the guaranty and surety companies doing business within the State of Kentucky, the first being elected for a period ending the first Monday in January, 1936, and thereafter for a term of four years. The expenses of the bureau shall be shared in proportion to the gross premiums received by each such company doing business in this Commonwealth during the preceding year. Said bureau shall meet in the office of the Insurance Commissioner at Frankfort, Kentucky, at regular intervals during each year, or upon call of the Auditor of Public Accounts after reasonable notice. The methods by which the rates of premiums charged within this Commonwealth shall be adopted by said bureau and shall be

in conformity with the experience tables and the rules governing the adoption of such rates by the national rating authorities governing such companies heretofore adopted, except that the Kentucky Rating Bureau organized under this Act shall have power to address inquiries to any individual, association, or bureau which is or has been engaged in making rates or estimates for rates upon business done in this Commonwealth.

§ 3. Said bureau shall have the power and authority to increase or decrease rates of premiums charged by such companies in this Commonwealth upon complaint of any person within this Commonwealth filed with the bureau, or upon motion of the bureau itself, and after public hearing upon due and reasonable notice to all parties concerned, provided, however, that no order adopted by said bureau shall discriminate as between any of the companies doing business in Kentucky or elsewhere, and the rate or rates adopted shall in no event operate to deprive any company or companies or the stockholders thereof of a reasonable return upon the capital invested therein, and any order affecting rates to be charged by any such companies doing business in the Commonwealth of Kentucky shall be subject to adequate court review upon the law or equity side of the docket in any court of competent jurisdiction within this Commonwealth.

§ 4. It is hereby declared to be the intention of the General Assembly to enact each and every of the sections, paragraphs, clauses or sentences herein contained separately and independently of each of the other sections, paragraphs, clauses, or sentences, and, therefore, in the event that any such section, paragraph, clause, or sentence should be declared to be void or unconstitutional, for any reason, either textually or in its operation and effect, by any court of competent jurisdiction, such decision shall not affect the remainder of this Act nor any other section, paragraph, clause, or sentence thereof.

§ 5. All laws or parts of laws in conflict herewith, to the extent of such conflict, are hereby repealed.

By Senator Dawson.

S. B. 402. An Act to repeal, amend and re-enact Section 124, Carroll's Kentucky Statutes, 1930 Edition, relating to the Commonwealth's Attorney, his fees and salary.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Commonwealth's Attorney shall receive from the State Treasury five hundred ($500.00) dollars in the payment of his salary as now provided by law, and he shall receive in addition thereto thirty-five hundred ($3,500.00) dollars per annum out of the judgments for fines and forfeitures rendered in favor of the Commonwealth in the several courts of his district and this shall be in lieu of all taxed fees and prerequisites; the per centums of fines and forfeitures. He shall be paid per the month of such fines and forfeitures the proportion thereof equal to all judgments for fines and forfeitures rendered in favor of the Commonwealth in the several courts of his district per the month, and if at the end of any year the judgments for fines and forfeitures rendered in favor of the Commonwealth in the several counties in his district do not amount to the sum of $3,500.00 per annum, and for the next succeeding year there are rendered judgments for fines and forfeitures in favor of the Commonwealth in the several courts in his district a sum during such succeeding year in excess of the $3,500.00 for that year there shall be paid to him out of such excess, if sufficient, a sum necessary to bring his compensation for fines and forfeitures for the preceding year to the sum of $3,500.00.

The provisions of this Act shall in no wise affect any per centum of judgments for fines and forfeitures now allowed by law to any other officers of any county. This Act shall not apply to Commonwealth's Attorney now in office.

All Acts and parts of Acts in conflict herewith are hereby repealed.

By Senator Booles.

S. B. 403. An Act relating to roads and highways; making Capital Avenue in the city of Frankfort a part of the primary highway system; authorizing its dedication by the city of Frankfort to the use and benefit of the Commonwealth; and giving to the State Highway Commission full power and authority to improve and maintain same.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all that part of Capital Avenue in the city of Frankfort, beginning at the north side of the intersection of Todd Street with the same, and running north to the south side of Second Street in said city, be and the same is now declared to be a part of the projects or primary road or highway system connecting up the county seats of Anderson, Franklin, and Owen Counties, and likewise Anderson, Scott, Woodford and Fayette Counties, and as such may be and is entitled to all the provisions of the laws now or hereafter in force in this Commonwealth relating to State and Federal Aid roads, particularly Sections 4356t-8 and 4356t-11, Kentucky Statutes, being respectively Sections 8 and 11 of Chapter 17 of the Acts of the General Assembly of 1920.

§ 2. The city of Frankfort is hereby authorized by ordinance of its common council to dedicate said portion of Capital Avenue to the use and benefit of the Commonwealth of Kentucky, and upon the passage of such ordinance it shall be the duty of the Sinking Fund Commission to accept same on behalf of the Commonwealth, and take over and forever hold same for the use and benefit of the Commonwealth.

§ 3. Upon the dedication of said portion of Capital Avenue by the city of Frankfort and its acceptance by the Sinking Fund Commission on behalf of the State, the State Highway Commission out of its funds shall improve same and forever thereafter shall keep and maintain same in proper condtion.

By Senator Ferguson.

S. B. 404. An Act establishing as a part of the primary system of State highways a road beginning at Glasgow Junction and running thence via the old Mammoth Cave railroad line to Mammoth Cave.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at Glasgow Junction and running thence via the old Mammoth Cave railroad line, with such deviations therefrom as the State Highway Commission may determine, to Mammoth Cave, to be known and designated as Project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

By Senator Lloyd.

S. B. 405. An Act to amend and re-enact Section 1731 of

the Kentucky Statutes, Carroll's Edition, 1930, relating to "Fees."

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1731 of the Kentucky Statutes, Carroll's Edition, 1930, be and the same is hereby amended and re-enacted, so that when so amended and re-enacted the same will read as follows:

"City or police judges and justices of the peace, for all services rendered in the city or police courts and justices' courts, so far as the same apply when the jurisdiction is concurrent with the circuit courts, shall be entitled to charge and receive the same fees allowed by law to clerks of circuit courts for similar services.

"In all cases or proceedings in said courts where amount in controversy exclusive of interest and costs, is fifty dollars (50.00), or under, and for certain other services rendered in the performance of other official duties hereinafter specified, the fees of city or police judges and justices of the peace, so far as the same shall apply, shall be:

"For issuing each summons or warrant not hereinafter provided for, each order of attachment, order of injunction, order of delivery, or supersedeas, twenty-five cents; for each copy thereof, fifteen cents; for entering return thereon, ten cents; for each subpoena for a witness or witnesses, twenty cents; for each attachment of a witness or witnesses, twenty-five cents; for each original judgment, twenty-five cents; for recording same, twenty-five cents; for each execution, twenty-five cents; for each copy of a judgment or execution, when ordered, twenty-five cents; for each affidavit to procure an

attachment, warrant of arrest in a civil case, order of delivery, or to prove a demand against a decedent's estate, if the justice prepares the affidavit, twenty-five cents; for each distress warrant for rent, twenty-five cents; for taking each recognizance, twenty-five cents; for swearing a person and giving a certificate thereof, twenty cents; for each order of arrest in a civil case, twenty-five cents; for each copy thereof, fifteen cents; for filing a claim or appeal or any paper or pleading in a case, each, ten cents; for docketing a cause at each term, five cents; for endorsing steps at each term, five cents; for indexing each name of a party to an action, proceeding or execution, to be charged once in each case, five cents; for entering or noting of record in an order book each order or direction of the court for an order filing any pleading or other paper, each motion, demurrer, disposition thereof or ruling of the court or any other step taken, each, twenty cents; for taking each bond provided or required by law, twenty-five cents; for each copy, ten cents; for each writ of habeas corpus, fifty cents; for each peace warrant, fifty cents; for presiding at final trial in misdemeanor cases, two dollars; for each writ of forcible detainer and entry, fifty cents; for presiding at and superintending trial of writ of forcible entry and detainer, per day, one dollar and fifty cents; for each day's actual attendance of a justice of the peace as a member of the fiscal court or at the meetings of the fiscal court, to be paid out of the county levy, three dollars; for certifying copy of judgment and amount of costs on appeal, twenty-five cents; for taxing costs of each party or parties at each term when judgment for costs is rendered, or on final judgment, ten cents; for entering each witness' attendance, and giving certificates thereof in a civil case, fifteen cents; for each trial by a jury, including all services incident thereto in a civil case, sixty cents; for entering and giving a post notice of an estray, waif boat, watercraft or wreck, twenty-five cents; for order causing bulls, studs, or jacks running at large to be altered, twenty-five cents; for order commanding owner of distempered cattle to confine them, twenty-five cents; for copy of record certified, two cents for every twenty words, two cents;

for holding an inquest, when coroner cannot attend, a justice of the peace shall receive the same fees allowed a coroner.

"That the justice of the peace of the various magisterial and justice of the peace courts of this Commonwealth, shall collect the sum of two dollars ($2.00) on each action or suit, commencing with original process, in their respective courts. Said sum to be collected when such action or suit is filed and applied as a credit on the costs accruing in such action or suit, and shall not affect their fees now prescribed by law.

"Provided, however, that this section shall not apply to counties having cities of the first class, but that said fees for which the said magistrate or justice of the peace are allowed to charge and receive, shall be payable into the court in which the action was instituted to cover cost of same."

By Senator Lloyd.

S. B. 406. An Act to amend and re-enact Section 1733 of the Kentucky Statutes, Carroll's Edition of 1930, relating to "Fees."

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1733 of the Kentucky Statutes, Carroll's Edition of 1930, be and the same is hereby amended and re-enacted, so that when so amended and re-enacted the same will read as follows:

"Constables shall be allowed to charge and receive the following fees: For serving a summons in any civil case, on each defendant, before a justice of the peace, fifty cents; for serving a peace or search warrant, for each defendant, one dollar; for levying an attachment, fifty cents; and a reason-

able fee for removing and taking care of any attached goods, livestock or other property taken under the attachment to be allowed by the court; for summoning a garnishee, fifty cents; for taking up a vagrant, fifty cents; for summoning a witness, twenty cents; for collecting money under execution or other legal process, taking a replevin or forthcoming bond, or for a stay of execution, the same commission that may be allowed a sheriff, and one per cent more; for collecting fee-bills, ten per cent to be deducted from the fee-bill; for summoning and attending a jury, one dollar; for serving a notice on each person, twenty-five cents; for killing a mad dog, one dollar; for killing and burying a distempered horse, ass or mule, three dollars; for killing and burying any other cattle, per head, two dollars; for altering a stud, jackass or bull, one dollar; for any other services, the same fees as sheriffs.

"Provided, however, that this section shall not apply to counties having cities of the first class, but that said fees for which the said constable are allowed to charge and receive, shall be payable into the court wherein the said constable is appointed.

By Senator Lloyd.

S. B. 407. An Act to amend and re-enact Section 1697, Subdivision 1, Article 15, Chapter 120, of the Kentucky Statutes, Carroll's Edition of 1930, entitled, "Executions."

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1697, being Subdivision 1, of Article 15, Chapter 120, of the Kentucky Statutes, Carroll's Edition of 1930, be and the same is hereby amended by (1) striking out therefrom in line 36, the figures, "Ninety per centum (90%)"

and inserting in lieu thereof the figures, Ninety-five per centum (95%); and (2) by striking out in line 39, the figures, "Seventy-five Dollars ($75.00)," and inserting in lieu thereof the figures, One Hundred Dollars ($100.00); and (3) by striking out in line 42, the figures, "Ten per centum (10%)," and inserting in lieu thereof the figures, Five per centum (5%), and (4) by striking out in line 47, the figures, "Seventy-five Dollars ($75.00)," and inserting in lieu thereof the figures, One Hundred Dollars ($100.00); and (5) by striking out in line 48 the figures, "Sixty-seven and One-half Dollars ($67.50), and inserting in lieu thereof the figures, Eighty-five Dollars ($85.00).

So that said section when so amended shall read as follows:

The following property of persons with a family, resident in this Commonwealth, shall be exempt from execution, attachment, distress, or fee-bill, namely: Two work beasts, or one work beast and one yoke of oxen; two plows and gear; one wagon and set of gear, or cart or dray; two axes, three hoes, one spade, one shovel; two cows and calves; beds, bedding and furniture sufficient for family use; one loom and spinning wheel and pair of cards; all the spun yarn and manufactured cloth manufactured by the family necessary for family use; carpeting for all family rooms in use; one table; all books not to exceed seventy-five dollars in value; two saddles, and their appendages; two bridles; six chairs or so many as shall not exceed ten dollars ($10.00) in value; one cradle; all the poultry on hand; ten head of sheep not to exceed twenty-five dollars ($25.00) in value; all wearing apparel; sufficient provisions, including breadstuff and animal food to sustain the family for one year; provender suitable for livestock, if there be any such stock, not to exceed seventy dollars ($70.00) in value; and if such provender be not on hand such other property as shall not exceed such sum in value; all washing apparatus, not to exceed seventy-five dollars ($75.00) in value; one sewing machine, and all family portraits and pictures; one cooking stove and appendages,

and other cooking utensils not to exceed in value twenty-five dollars ($25.00); ninety-five per centum (95%) of the salary, wages, or income earned by labor, of every person earning a salary, wages, or income of One Hundred Dollars ($100.00) or less per month, provided that the lien created by service of garnishment, execution, or attachment, shall only affect five per centum (5%) of such salary, wages, or income, earned at the time of service of process; of the salary, wages, or income earned by labor, of every person earning a salary, wages or income in excess of One Hundred Dollars ($100.00) per month, Eighty-five Dollars ($85.00) per month and no more shall be exempt. Provided, that these amended exemptions shall only apply in actions brought upon contracts entered into after the effective date of this act, and no provision of this law shall be construed to make it retroactive in effect.

By Senator Ferguson.

S. B. 408. An Act establishing as a part of the primary system of State roads and highways, a road leading from Elmer Carter's store in Edmonson County, via Straw and Dickey's Mill to Cub Run.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§1. That there is hereby established as a part of the primary system of State roads and highways, a road leading from Elmer Carter's store in Edmonson County, via Straw and Dickey's Mill to Cub Run.

§ 2. The said road to have and receive all the benefits of the State primary road system under Chapter 17 of the Acts of 1920.

By Senator Allie W. Young.

S. B. 409. An Act regulating the charges of Tobacco Warehousemen for the handling and sale of loose leaf tobacco, and imposing penalties for its violation.

To Committee on Agriculture.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any tobacco warehouseman, corporation, firm or individual who shall be engaged in the business of receiving and selling loose leaf tobacco at public auction in this Commonwealth to charge, collect or receive any amount in excess of the following charges for the following services, to-wit:

For receiving, handling and weighing of loose leaf tobacco the sum of Fifteen Cents (15c) per one hundred (100) pounds.

For auction fee the sum of Ten Cents (10c) per one hundred pounds.

For selling and collecting the sale price of loose leaf tobacco sold at public auction a commission of two and one-half per cent (2½%) of the sale price.

§ 2. Any warehouseman, agent, manager, corporation or organization who shall violate the provisions of this Act shall be guilty of a misdemeanor, and shall, upon trial and conviction in any court of competent jurisdiction, be fined for each offense in any sum not less than Two Hundred Dollars ($200.00), nor more than Three Hundred Dollars ($300.00), in the discretion of the court or jury trying the case.

By Senator Van Hoose.

S. B. 410. An Act providing for the certification of public school administrators.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That each superintendent of schools in this Commonmonwealth shall hold a standard certificate in administration and supervision as provided for by law. Such certificate shall be issued to any applicant who files evidence of having had at least four years experience in administration and supervision in the public schools or colleges of this Commonwealth, and who has satisfied the requirements for the issuance of a standard certificate for high school teaching and in addition thereto files standard college credits for six semester hours in public school administration and supervision. Such certificate shall be issued for a term of four school years and shall qualify the holder for any position in public school administration and supervision in the Commonwealth and shall be eligible for renewal on the presentation of evidence that the holder has earned twelve additional semester hours of standard college credit in educational subjects and satisfactory evidence of three years of successful administrative experience.

All Acts and parts of Acts in conflict herewith are hereby repealed.

By Senator Turner.

S. B. 411. An Act to amend and re-enact Section 5, Chapter 174, of the Acts of 1926, session of the General Assembly, relating to a uniform system of accounting in the

State and county governments, and providing for the installing and maintaining of this system, and the auditing of fiscal records in counties and taxing districts in the Commonwealth.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 5, Chapter 174, of the Acts of 1926, session of the General Assembly, be and the same is amended and re-enacted, and as amended and re-enacted shall read as follows:

When the State Inspector and Examiner of the Commonwealth of Kentucky shall have adopted the books, blanks, blank reports, forms, receipts and records, provided for under the provisions of this act, he shall require the public printer to prepare such books, blanks, blank reports, forms, receipts and records under the existing contract with the Commonwealth of Kentucky, and the costs thereof for the use of the State officials shall be paid by the Auditor of Public Accounts, as other printing is now paid, and such books, blanks, blank reports, forms, receipts and records, for county offices and county officials, shall be procured and supplied, as now provided by law for such supplies.

The Governor of the Commonwealth of Kentucky is hereby authorized and empowered to employ such expert public accountants and assistants as may be necessary to install and maintain the system so adopted and audit the fiscal and taxing district records (excepting Educational districts) in each county of the Commonwealth, when in his opinion it is necessary, in order to conform with the requirements of this act. The cost of such accountants, assistants and their expenses shall be paid, on the approval of the Attorney General of

the Commonwealth of Kentucky, by the county, or taxing district where such system is installed and audit made. Reports of such audits shall be filed with the County Judge of the county wherein an audit is made and with the State Inspector and Examiner of the Commonwealth of Kentucky and shall be a public record.

All acts and parts of acts in conflict herewith are hereby repealed.

COMMITTEE REPORTS

Senator Ferguson of the Committee on Military Affairs, to which had been referred a Resolution of the following title:

HOUSE RESOLUTION 44

Resolution directing the Governor to proclaim October 11 of each year "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brigadier-General Casimir Pulaski.

Reported with expression of opinion that same ought to pass.

Senator Gaines of the Committee on Appropriations, to which had been referred a Resolution of the following title:

SENATE RESOLUTION 15

Resolution providing for the purchase of copies of the Legislative Digest for the members of the General Assembly and State and other public officials.

Reported with expression of opinion that same ought to pass.

Senator Dawson of the Committee on Roads and Highways, to which had been referred a bill of the following title:

S. B. 303. An Act relating to licensing or taxing of ve-

hicles in cities of this Commonwealth, of the second, third, fourth, fifth and sixth classes used or let for hire, and used by farmers and manufacturers of farm products and delivered by vehicles not for hire in cities of the second, third, fourth, fifth or sixth classes.

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

H. B. 102. An Act to further amend an Act entitled, "An Act for the government of cities of the second class in the Commonwealth of Kentucky" which was approved March 19, 1894, and thereafter in due course became a law and as same has since been amended, all of which said act and amendments now appear as Article 3 of Chapter 89, Kentucky Statutes.

Reported with expression of opinion that same ought to pass.

Senator Isaacs of the Committee on Drains and Ditches, to which had been referred a bill of the following title:

S. B. 329. An Act to repeal and re-enact Section 1845 of Kentucky Statutes, Carroll's 1930 Edition, relating to compensation of members of Fiscal Courts.

With the following amendment thereto:

Amend Senate Bill No. 329, by adding at the end of line 13 of Section 1 of the printed bill, the following:

Provided, that members of the Fiscal Court, other than the county judge, shall receive the sum of Three and 50/100 ($3.50) Dollars per day for services other than in attendance or holding Fiscal Court, and, that the whole compensation

of members of Fiscal Court, other than the county judge, for holding and attending Fiscal Court and attendance at meetings of the committees thereof, shall not exceed the sum of Three Hundred and Fifty ($350.00) Dollars in any one year.

Reported with expression of opinion that same ought to pass as amended.

CALENDAR

Senator Gates Young moved that the reading of bills on Calendar at length be dispensed with and that they be read by their titles only.

Said motion was agreed to by a majority of members elected.

It was ordered that said bills be read by titles only and placed in Orders of the Day.

Titles to said bills are as follows:

S. B. 381. An Act to repeal and amend and re-enact Section 1077b-1, of Carroll's Kentucky Statutes, Baldwin's 1930 Revision, being Chapter 42, page 155, of an Act of March 27, 1926, relating to the appointment of a Trail Commissioner in the County Courts of Counties of this Commonwealth wherein is located a city of the first class, defining his duties and fixing his qualifications, term of office and salary.

H. B. 18. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works, and further providing for definition of terms used, enforcement of and penalty for violation of this Act.

S. B. 296. An Act to amend and re-enact Section 1893a-12, Kentucky Statutes, which is an Act providing for Relief for the Blind so that said section when amended and re-enacted will read as follows:

ENROLLMENT REPORT

Senator Stewart, of the Committee on Enrollment, reported that they had examined and found correctly enrolled, bills and resolutions which originated in the Senate, of the following titles:

H. B. 78. An Act to amend Section 1072 of Carroll's Kentucky Statutes, 1930 Edition.

H. B. 175. An Act to repeal an Act relating to cities and towns, being Chapter 738 of the Acts of the General Assembly, Session 1858, approved February 17, 1858.

S. B. 300. An Act repealing Section 2739f-4, Kentucky Statutes, Carroll's 1930 Edition, including all and singular subsections thereof, being all of Chapter 26 of the Acts of the General Assembly of 1922; and enacting in lieu thereof an Act creating a commission of five members to be known as "My Old Kentucky Home Commission," fixing the qualifications and terms of office of the members of said Commission, and prescribing the powers and duties of said Commission; and declaring an emergency to exist.

S. B. 23. An Act to repeal and re-enact Section 4399a, Subsection 10, of Baldwin's 1928 Supplement to Carroll's 1922 Edition, Kentucky Statutes, relating to public schools, and being Section 10 of an Act entitled, "An Act creating a county board of education, prescribing its duties, fixing the tenure of office and compensation of its members; providing for the election of a county superintendent by said board, fixing his qualifications, compensation and term of office; and prescribing his duties and fixing his bond; providing for the election of an attendance officer by the county board of education, providing for the levy of tax for common school purposes in each county; prescribing the duties of the county tax commissioner, the county court clerk, with reference to the assessment of the property subject to said tax and prescribing the duties of the county board of education and fiscal court levying said tax and prescribing the duties of the sheriff

in collecting said taxes and making his settlement to the fiscal court; providing the manner of paying his commission for collecting same; prescribing the duties of the fiscal court with reference to making settlement with the sheriff for said tax; providing for the employment of teachers; providing for the appointment of district trustees and prescribing their duties."

Whereupon all other business was suspended; said bills and resolutions were read at length and compared in open Senate, and were found to be correctly enrolled. Thereupon, the President of the Senate, in open session, in the presence of the Senate, affixed his signature to said bills and resolutions.

Ordered that the Enrolling Clerk deliver said bills and resolutions to the House of Representatives.

After a time the Enrolling Clerk delivered the original and enrolled bills and resolutions which originated in the Senate, to the Clerk.

Ordered that the Clerk deliver the enrolled bills and resolutions which originated in the Senate, and which had been signed by the presiding officers of the Senate and House of Representatives, to the Governor.

After a time, the Clerk reported that he had performed that duty.

A message was received from the House of Representatives announcing that they had passed a bill of the following title:

S. B. 300. An Act repealing Section 2739f-4, Kentucky Statutes, Carroll's 1930 Edition, including all and singular subsections thereof, being all of Chapter 26 of the Acts of the General Assembly of 1922; and enacting in lieu thereof an Act creating a commission of five members to be known

as "My Old Kentucky Home Commission," fixing the qualifications and terms of office of the members of said commission, and prescribing the powers and duties of said commission; and declaring an emergency to exist.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 30. An Act to repeal and re-enact Section No. 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

Senator Stewart moved that said bill be recommitted to the Committee on Revenue and Taxation.

The question being taken thereon, was decided in the affirmative and

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and further providing for definitions of terms used, enforcement of and penalty for violation of this act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license and regulate the business of making loans or advancements in the amount or of

the value of three hundred dollars, or less, secured or unsecured, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest, discount, consideration, or charge than six per centum per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars or less, providing for the administration of this act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and findings of the banking commissioner under this act, and repealing so much of Section 4224A, Carroll's Kentucky Statutes, 1930, as applies to persons licensed under this act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes, 1930, and repealing all acts and parts of acts in conflict with the provisions of this act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 154. An Act authorizing cities of the fourth and fifth classes to provide insurance or maintenance for arresting officers, who may sustain injury, in discharge of official duty, which incapacitates such officer; and support for widows and orphans of such officers who lose their lives in discharge of official duty, and provide funds and taxes therefor, and procedure for securing same and determining amounts to be paid; and for trials, and appeals concerning same.

Senator Moss moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of Representatives of the following title:

H. B. 52. An Act to repeal and re-enact Section No. 4223c-1 of Carroll's Statutes of Kentucky, pertaining to tax on oil production, produced in the State of Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4223c-1 of Carroll's Statutes, 1930 Edition, be and the same is hereby repealed and re-enacted and when so re-enacted that same shall read as follows:

Every person, firm, corporation or association producing crude petroleum oil in this State shall in lieu of all other taxes on the wells producing said crude petroleum, annually pay a tax equal to one-half (½) of one per cent (1%) of the market value of all crude petroleum so produced; and such tax shall be for state purposes, and in addition any county in the State may impose a like tax for road purposes, county purposes or school purposes, not to exceed one per cent (1%) of the market value of all crude petroleum produced in such county; and the Fiscal Court of any county may levy said tax for county purposes; and shall determine what fund or funds shall receive the tax when collected. And when crude petroleum is produced in any separate taxing district in a county the Fiscal Court shall equitably distribute such taxes between the county and such taxing district.

Ordered that said bill be read the third time.

Senator Stewart moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	O. M. Rogers
W. W. Booles	Alex E. Johnson	J. M. Rose
H. M. Brock	L. C. Littrell	Dr. Lewis Ryans
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Joe Stewart
Thos. C. Ferguson	Wm. Mehler	Fred C. VanHoose
Walter N. Flippin	E. C. Moore	F. M. White
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young
Wm. Isaacs		—31

Resolved that the title thereof be as aforesaid.

Senator Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 179. An Act enabling cities of the third class to acquire, construct, operate and maintain electric light, heat and power plant and to issue revenue bonds of such cities to

pay the cost thereof, payable solely from the revenues of such works without the incurrence of indebtedness of said cities.

Senator Gates F. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 36. An Act relating to the licensing of the business or occupation of contracting painting or decorating, in cities of the first and second class and requiring such contracting painter or decorator to obtain permits from said city and making it the duty of said city to issue permits before doing any painting or decorating and providing penalties for the violating of said act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 37. An Act creating a Board of Censors of motion picture films, providing for the appointment of the members thereof by the Governor of the Commonwealth of Kentucky, fixing the terms and salaries of its members, providing for the payment of the expenses of such Board, fixing the fees to be charged by such Board, providing for the disposition of the funds collected regulating the censorship and exhibition of motion pictures in Kentucky, competing exhibitors having the same or similar accommodations and facilities in the exhibition thereof, and providing penalties for the violation of this Act.

Senator Holloway moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 176. An Act to repeal Chapter 36 of the Acts of the General Assembly of the Commonwealth of Kentucky of one thousand nine hundred and thirty entitled "An Act relating to education in this Commonwealth and appropriating money from the general fund of the treasury of the Commonwealth to be used for education purposes in connection with the public school system of this Commonwealth and conferring authority and power upon the State Board of Education to supervise and administer the expenditure of money so appropriated, defining the purpose for which the money so appropriated shall be used, and providing conditions upon which it shall be received, and generally to provide for a more efficient system of public schools in this Commonwealth.

Senator Baines moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 304. An Act to amend and re-enact Section 762a-20, Kentucky Statutes, Carroll's 1930 Edition, relating to the writing of insurance through licensed agents within this Commonwealth, and prescribing penalties for violation of the provisions of this act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 762a-20 of the Kentucky Statutes, Carroll's 1930 Edition, be and the same hereby is amended and re-enacted, and as amended and re-enacted the same shall read as follows: No insurance company shall write, place or cause to be written or placed, any policy or contract for direct insurance upon any property in this Commonwealth, except through a duly licensed resident local agent in this Commonwealth; provided, however, the words duly licensed resident local agent, as used in this section, shall not be construed to mean or to include, in any sense, any State or special agent or travelling and/or salaried employee of any stock fire insurance company doing business in this Commonwealth; and provided further that this section shall not apply to policies covering property in transit while in the custody of any common carrier, or to rolling stock or other property of any common carrier used and employed by it as a common carrier of freight or passengers; nor to policies of mutual insurance companies or inter-insurance associations on which no commissions are paid except to a home office manager or attorney in fact.

§ 2. Section 762a-20a. Nothing in this act shall apply to farm property.

§ 3. Section 762a-20b. None of the provisions of this act shall apply to assessment or co-operative associations or companies, mutual companies, reciprocal or inter-insurance exchanges, their attorneys in fact, or their agents, servants or employees or representatives.

§ 4. Section 762a-20c. Any person, firm, or corporation violating any of the provisions of this section shall upon conviction for such offense be fined in a sum not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) for each offense, and in the event that any such person, firm or corporation so offending shall be convicted

and fined as herein provided, the Insurance Commissioner shall suspend the license to do business in this Commonwealth theretofore granted to any such person, firm or corporation for a period of not exceeding ninety days for the first offense, and upon conviction and fine as herein provided for a second offense, the Insurance Commissioner shall revoke the license of any such person, firm or corporation, and no license to do an insurance business in this Commonwealth shall thereafter be granted to any such person, firm or corporation so offending for a second time, for a period of twelve months. Provided, however, that any order of the Insurance Commissioner suspending or revoking any license pursuant to the provisions of this section shall be subject to adequate court review upon the law or equity side of the docket in any court of competent jurisdiction within this Commonwealth.

§ 5. It is hereby declared to be the intention of the General Assembly in the enactment of this law to regulate the writing of insurance within this Commonwealth by duly licensed resident local agents, excepting such other agents, servants, or employees as are specifically exempted herein from the operation of this Act, but in so doing it is also specifically declared to be the intention of the General Assembly to enact each and every of the sections herein contained separately and independently of each other, and, therefore, in the event that any section of this act should be declared to be void or unconstitutional by any court of competent jurisdiction, such decision shall not affect the remainder of this act nor any other section hereof.

Ordered that said bill be read the third time.

Senator Gates F. Young moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	L. C. Littrell	O. M. Rogers
W. W. Booles	Frank I. Lloyd	J. M. Rose
H. M. Brock	C.T.McCormick,Sr.	Dr. Lewis Ryans
Edwin C. Dawson	Wm. Mehler	Fred C. VanHoose
Thos. C. Ferguson	Ray B. Moss	F. M. White
Walter N. Flippin	D. C. Naive	Sewell B. Williams
Arch Hamilton	Marion F. Pogue	W. A. Yates
Wm. Isaacs	Dr. G. W. Ragan	Gates F. Young

—24

Resolved that the title thereof be as aforesaid.

Senator Gates F. Young moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 360. An Act entitled, "An Act prohibiting the possession, sale, or manufacture in other than its natural state, marahaunna, India hemp, or hasheesh, except for medicinal or scientific purposes, and prescribing the penalties for violation thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any person or persons in this Commonwealth to possess, sell, barter, trade, give away, or manufacture in any other than its natural state, any marahauana, India hemp or hasheesh for use or consumption by any person, except under the direction and in course of treatment by a regularly licensed physician, and except as is now, or may be hereafter permitted by the laws of the United States or the State of Kentucky in any compound or other form, for medicinal or scientific purposes.

§ 2. Upon proof of the possession, sale, giving away or manufacturing of any such marahuana, India hemp or hasheesh, the burden shall be upon the person charged to prove its legitimate use, in accordance with the previous section.

§ 3. Upon conviction for a violation of the foregoing sections, any person or persons so convicted shall be fined not more than $500.00 or imprisoned in jail for a period not to exceed one year, or both so fined and imprisoned.

Ordered that said bill be read the third time.

Senator Ragan moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	O. M. Rogers
W. W. Booles	Alex E. Johnson	J. M. Rose
H. M. Brock	L. C. Littrell	Dr. Lewis Ryans
Edwin C. Dawson	Frank I. Lloyd	E. D. Stephenson
Dr. T. J. Edge	C.T.McCormick,Sr.	Joe Stewart
Thos. C. Ferguson	Wm. Mehler	Thos. O. Turner
Walter N. Flippin	E. C. Moore	Fred C. VanHoose
Arch Hamilton	Ray B. Moss	F. M. White
J. S. W. Holloway	D. C. Naive	Sewell B. Williams
Robert Humphreys	Marion F. Pogue	W. A. Yates
Wm. Isaacs	Dr. G. W. Ragan	Gates F. Young

—33

Resolved that the title thereof be as aforesaid.

Senator Ragan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 367. An Act to amend and re-enact Section 1222, Kentucky Statutes, 1930, Chapter 182, Section 95, Session Acts of 1893.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 182, Section 95, of the Acts of the General Assembly of 1893, now Section 1222, Kentucky Statutes, 1930 Edition, be and the same is hereby amended and re-enacted as follows:

By adding the word "falsely" between the words "to" and "accuse" in lines 6 and 7 of said Statute, and by adding between the words "money" and "goods" in lines 8 and 9 of said Statute, the following "wrongfully or to which such person is not lawfully entitled," so that said Statute when so amended and re-enacted shall read as follows:

If any person shall knowingly send any letter, with or without a name signed thereto, or with a fictitious name, threatening to kill another, or to do him or his wife or child harm, or to burn or destroy his house or other property, or to falsely accuse him or his wife or child of a felony, with the intention to extort or gain money wrongfully or to which such person is not lawfully entitled, goods, wares or merchandise, or a deed or other instrument of writing from the person so threatened, or from any other, he shall be confined in the penitentiary not less than one nor more than five years.

Ordered that said bill be read the third time.

Senator Flippin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

H. M. Brock	Arch Hamilton	L. C. Littrell
Dr. T. J. Edge	J. S. W. Holloway	Frank I. Lloyd
Walter N. Flippin	Wm. Isaacs	Rev. C. D. McCaw

C.T.McCormick,Sr.	D. C. Naive	E. D. Stephenson
Wm. Mehler	Marion F. Pogue	Fred C. VanHoose
E. C. Moore	Dr. G. W. Ragan	F. M. White
Ray B. Moss	J. M. Rose	Gates F. Young

—21

Those who voted in the negative were:

Jas. H. Bondurant	Perry B. Gaines	O. M. Rogers
W. W. Booles	Robert Humphreys	Dr. Lewis Ryans

—6

Resolved that the title thereof be as aforesaid.

Senator Flippin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 320. An Act adopting as the law of the Commonwealth of Kentucky the issue of civil and criminal codes of practice of Kentucky compiled by Judge Richard Priest Dietzman and issued in the year 1932, and published by the Baldwin Law Publishing Company and known as Carroll's Civil and Criminal Kentucky Codes, providing further that this Act shall not be construed to render valid or invalid any section or part thereof embraced in said codes, or repeal any section or part thereof not included in said codes.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the issue of codes of practice of Kentucky compiled

by Judge Richard Priest Dietzman and issued in the year 1932, and published by the Baldwin Law Publishing Company and known as Carroll's Kentucky Civil and Criminal Codes be and the same are hereby adopted as the codes of practice and procedure of the Commonwealth of Kentucky, and in all actions and proceedings the provisions contained therein may be cited and referred to as the law or practice and procedure of the courts of the Commonwealth of Kentucky by reference to or the citation of any section or parts of sections of said codes.

This Act shall not be construed to render valid or invalid any section or part thereof embraced in said codes of practice or to nullify or repeal any section or part thereof now in force or in effect and not included in said codes.

Ordered that said bill be read the third time.

Senator Flippin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Thos. C. Ferguson	Silas Jacobs
W. W. Booles	Arch Hamilton	L. C. Littrell
H. M. Brock	J. S. W. Holloway	Frank I. Lloyd
Edwin C. Dawson	Robert Humphreys	Rev. C. D. McCaw
Dr. T. J. Edge	Wm. Isaacs	C.T.McCormick,Sr.

Wm. Mehler	O. M. Rogers	Fred C. VanHoose
E. C. Moore	J. M. Rose	F. M. White
Ray B. Moss	E. D. Stephenson	Sewell B. Williams
D. C. Naive	Thos. O. Turner	Gates F. Young
Dr. G. W. Ragan		—29

Resolved that the title thereof be as aforesaid.

Senator Flippin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 349. An Act enabling cities of the second class to acquire, construct, improve, operate and maintain bridges across navigable streams, and to acquire and operate ferries thereover, so as to connect such cities with an adjoining State; providing for the creation of bridge commissions of such cities and prescribing their powers and duties; authorizing the issuance of revenue bonds of such cities, payable solely from bridge and ferry earnings, to pay the cost of such bridges and improvements thereof and such ferries; providing for the collection of bridge and ferry tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the bridges and ferries; setting forth the conditions upon which such bridges shall become free bridges; providing that no debt of such cities shall be incurred in the exercise of any of the powers granted by this Act, providing for condemnation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Issuance of revenue bonds for bridges. Cities of the second class are hereby authorized and empowered to acquire by purchase and to construct, or partly acquire and partly construct, and to improve, operate and maintain bridges over navigable streams so as to connect such cities with an adjoining State, and, in order to pay the cost of such acquisition and/or construction and of such improvements, to issue bridge revenue bonds of such cities, as hereinafter provided.

§ 2. Definitions. As used in this Act, the following words and terms shall have the following meanings:

(a) The word "bridge" shall be deemed to embrace a bridge in its entirety, the highway and pedestrian portion of any existing bridge, and shall inclue all property, rights, easements and franchises relating thereto, including approaches.

(b) The word "improvements" shall mean such repairs, replacements, additions and betterments of and to a bridge acquired by purchase as are deemed necessary to place it in a safe and efficient condition for the use of the public, if such repairs, replacements, additions and betterments are ordered prior to the sale of any bonds for the acquisition of such bridge.

(c) The term "cost of bridge" as applied to a bridge to be acquired by purchase shall include the purchase price, cost of improvements, financing charges, interest during any period of disuse before completion of improvements and for a period of six months after such purchase or such completion, cost of traffic estimates and of engineering and legal expenses, plans, specifications and surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of the enterprise, and such administrative and other expense as may be necessary or incident to the financing herein authorized and the acquisition of the bridge and the placing of the bridge in operation.

(d) The term "cost of bridge" as applied to a bridge to be constructed shall embrace the cost of construction, the cost of all land, property rights, easements and franchises acquired which are deemed necessary for such construction, financing charges, interest during construction and for a period of six months thereafter, cost of traffic estimates and of engineering and legal expenses, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of the enterprise, and such administrative and other expense as may be necessary or incident to the financing herein authorized and the construction of the bridge and the placing of the bridge in operation.

(e) The term "bridge commission" shall mean the bridge commission hereinafter provided for of any such city, or if such commission shall be abolished, any board or officer succeeding to the principal functions thereof or upon which or whom the powers given by this Act to such commission shall be given by law.

(f) The word "owner" shall include all individuals, co-partnerships, associations or corporations having any title or interest in any property, rights, easements or franchise authorized to be acquired by this Act.

§ 3. Bridge commission. The Mayor or other chief executive officer of such city, with the approval of the legislative body of the city, may appoint four persons who, with the Mayor or other chief executive officer, ex-officio, shall constitute the bridge commission of said city. Each appointee shall be at least twenty-five years of age, and not more than two of such appointees shall be members of the same political party. No officer or employee of said city, whether holding a paid or unpaid office, shall be eligible to hold an appointment on said bridge commission. Such appointees shall be originally appointed for terms of four years. Upon the expiration of such terms, appointments shall be made in like manner except that the term of the four appointees shall be for one year, two

years, three years and four years, respectively, and the successors of such appointees shall be appointed in like manner, each for a period of four years. Any member of the bridge commission shall be eligible for reappointment. Vacancies shall be filled for any unexpired term in the same manner as the original appointment. Each appointee, before entering upon the discharge of his duties, shall qualify by taking, subscribing and filing an oath of office as required by law, and by executing a bond for the faithful performance of his duties, to be approved by the legislative body of this city, in the penal sum of $5,000, which bond shall be filed with the other official bonds of the city.

§ 4. Organization of commission. Upon the appointment and qualification of the members of the bridge commission as above provided, they, together with the Mayor or other chief executive officer, shall constitute a body corporate under the name of (here insert name of city) Bridge Commission and shall have power to contract and be contracted with, to sue and be sued in that name and to adopt a seal and alter same at pleasure. Said bridge commission shall elect a chairman and a vice-chairman from its members, and a secretary-treasurer who need not be a member of such commission. The members of the bridge commission, except the Mayor, shall receive such compensation as may be fixed by the legislative body of the city, either as a salary or as payment for meetings attended, but the maximum compensation of the chairman in any year shall not exceed one thousand dollars ($1,000.00) and of each other member shall not exceed five hundred dollars ($500.00). The bridge commission shall fix the compensation of the secretary-treasurer in its direction. The bridge commission shall have power to establish by-laws, rules and regulations for its own government and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of the powers under this Act. The bridge commission may employ engineering, architectural and construction experts and inspectors and attorneys, and such other employees as may be necessary in its opinion, and fix their compensation,

all of whom shall do such work as the bridge commission shall direct. All salaries and compensation shall be paid solely from funds provided under the provisions of this Act, and no such bridge commission shall proceed to exercise or carry out any authority or powers given it to bind such bridge commission beyond the extent to which money has been or may be provided under the provisions of this Act.

§ 5. Commissioners not interested in contracts. No person while in the employ of, or holding any official relation to any person, firm or corporation selling or furnishing any materials entering into the construction, improvement, repair or maintenance of any such bridge, or who is pecuniarily interested therein, as a stockholder or otherwise, shall be a member of any city bridge commission; nor shall any such bridge commission appoint hereunder any person or persons as engineers, superintendents, or foremen sustaining such relation to such person, firm or corporation; nor shall such engineers, superintendents or foremen thereafter become in any way connected with or interested in any such person, firm or corporation while in the employ of such bridge commission; nor shall any of such commissioners, or any engineer, superintendent or foreman appointed by the bridge commission be a candidate for, or hold any public office other than that of commissioner or be an employee under said bridge commission or be a member of any political committee either while acting as such commissioner or while holding employment thereunder. In case any of such commissioners or servants or employees shall be a candidate for or hold any other public office, or shall be a member of any political committee, his office as commissioner or position as employee, as the case may be, shall be ipso facto vacated.

§ 6. Purchase of bridges. The bridge commission of any such city is hereby authorized and empowered to acquire by purchase any toll bridge over a navigable stream so as to connect such city with an adjoining State, or any such toll bridge wholly or partly constructed, and/or any franchise, easements, permits and/or contracts for the construction of

any such bridge, upon such terms and at such prices as may be considered by such bridge commission to be reasonable and can be agreed upon between it and the owner thereof, title thereto to be taken in the name of such city.

§ 7. Condemnation of property. The bridge commission of any such city, whenever a reasonable price cannot be agreed upon, is hereby authorized and empowered to acquire by condemnation any land, rights, easements, franchise and other property deemed necessary or convenient for the improvement and/or the efficient operation of any property acquired or constructed under this Act, or for the purpose of constructing any bridge or portion thereof hereunder, or for securing right-of-way leading to any such bridge or its approaches, in the manner provided by law for the appropriation of private property for similar or other public purposes. Such bridge commission is and shall be further empowered to exercise in this Commonwealth and in any adjoining States such powers of eminent domain as may be conferred upon such city or such bridge commission by any Act of Congress of the United States now in force or which may hereafter be enacted. Title to any property condemned by the bridge commission shall be taken in the name of the city. The city shall be under no obligation to accept and pay for any property condemned, or any costs incidental to any condemnation proceedings, and shall in no event pay for the same except from the funds received under the provisions of this Act, and in any condemnation proceedings the court having jurisdiction of the suit, action or proceeding, may make such orders as may be just to the city and to the owners of the property to be condemned, and may require an undertaking or other security to secure such owners against any loss or damage to be sustained by reason of the failure of the city to accept and pay for the property, but such undertaking or security shall impose no liability upon the city, except such as may be paid from the funds received under the provisions of this Act.

§ 8. Improvement of bridges acquired. It shall be the

duty of the bridge commission, at or before the time any such bridge shall be acquired by purchase, to determine what repairs, replacements, additions or betterments, if any, will be necessary to place the bridge in safe and sufficient condition for the use of the public, and to cause an estimate of the cost of such improvements to be made and submitted to such bridge commission by an engineer or engineers appointed by it. The bridge commission shall order such improvements before the sale of any such bridge revenue bonds hereinafter authorized for the acquisition of such bridge.

§ 9. Construction of bridges. The bridge commission of any such city is hereby authorized and empowered to construct any toll bridge over a navigable stream, so as to connect such city with an adjoining State. Any such bridge commission is hereby authorized to purchase within this Commonwealth and within any adjoining State, such lands, structures, rights of way, franchises, easements and other interests in lands, including lands under water and ripuarian rights of any person, railroad or other corporation or municipality or political subdivision, deemed necessary for the construction of any such bridge, upon such terms and at such prices as may be considered by it to be reasonable and can be agreed upon between it and the owner thereof, title thereto to be taken in the name of the city. No contract or agreement with any contractor or contractors for the construction of any such bridge exceeding in amount the sum of twenty-five hundred dollars ($2,500.00) shall be made without advertisement for bids, which bids shall be opened publicly and an award made to the best bidder, with power in the commission to reject any or all bids.

§ 10. Removal of obstructions. All individuals or corporations having buildings, structures, works, conduits, mains, pipes, tracks, or other physical obstruction in, over or upon the public streets, lanes, alleys, highways or in, under or over the stream over which any bridge is to be constructed, and which shall interfere with or impede the progress of said bridge when in progress of construction or improvement,

shall upon reasonable notice from the bridge commission promptly so shift, adjust, accommodate or remove the same at their own cost and expense, except as otherwise provided or required by law, as fully to meet the exigencies occasioning such action and the city legislative body shall have full power by ordinance to prescribe the penalty for such failure. Any public ways or public works damaged or destroyed by reason of the building of such bridge or approaches shall be restored or repaired by the bridge commission and placed in their original condition as near as practicable.

§ 11. Bridge revenue bonds. The bridge commission of any such city is hereby authorized to provide by resolution for the issuance of bridge revenue bonds of such city for the purpose of paying the cost as hereinabove defined of any bridge, which resolution shall recite an estimate of such cost. The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment. Such bonds shall bear interest at not more than six per centum per annum, payable semi-annually, shall mature at such time or times not more than thirty years from their date or dates as may be determined by such bridge commission, and may be made redeemable before maturity at the option of the city, to be exercised by such bridge commission, at not more than the par value thereof and a premium of five per cent, and under such terms and conditions as may be fixed by such bridge commission prior to the issuance of the bonds. The principal and interest of such bonds may be made payable in any lawful medium. The bridge commission shall determine the form of the bonds, including the interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof, which may be at any bank or trust company within or without the Commonwealth. Such bonds shall be signed by the chairman of the bridge commission and by the Mayor or other executive officer of the city, under the city's seal, attested by the city clerk or city recorder, and the coupons shall bear the facsimile signatures of said chairman. All bonds issued under this Act

shall contain a statement on their face that the city shall not be obligated to pay the same or the interest thereon except from the revenues of such bridge. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. All such bonds shall be, and shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth. Such bonds and the income thereof shall be exempt from taxation by the Commonwealth of Kentucky and by the municipalities and political subdivisions thereof. Such bonds shall be lawful investments of banks, savings banks, trust companies, trustees and of the commissioners of the sinking funds of municipalities and counties, and shall be acceptable as security for the deposit of public moneys. Provision may be made for the registration of any of the bonds in the name of the owner as to principal alone. The bridge commission issuing such bonds may sell the bonds in such manner and for such price as it may determine to be for the best interests of the city, taking into consideration the financial responsibility of the purchaser and the terms and conditions of the purchase and especially the availability of the proceeds of the bonds when required for payment of the cost of the bridge. Such bonds may be sold at private sale without advertisement. The proceeds of such bonds shall be used solely for the payment of the cost of the bridge and shall be checked out by the chairman or vice-chairman of the bridge commission and the secretary-treasurer thereof and under such restrictions, if any, as such bridge commission may provide. If the proceeds of such bonds, by error of calculation or otherwise, shall be less than the cost of the bridge, additional bonds may in like manner be issued to provide the payment of such deficit and, unless otherwise provided in the trust indenture hereinafter mentioned, shall be deemed to be of the same issue and shall be entitled to payment from the same fund, without preference or priority of the bonds first issued for the same bridge. If the proceeds

of bonds issued for any bridge shall exceed the cost thereof, the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of said bonds. Prior to the preparation of definitive bonds, such bridge commission may under like restrictions issue temporary bonds with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. Such revenue bonds may be issued without a vote of the voters and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions and things which are specified and required by this Act or by the Constitution of the Commonwealth.

§ 12. Lien upon bond proceeds. All moneys received from any bonds issued pursuant to this Act shall be applied solely to the payment of the cost of the bridge or to the appurtenant sinking fund and there shall be and hereby is created and granted a lien upon such moneys, until so applied, in favor of holders of such bonds or the trustee hereafter provided for in respect of such bonds.

§ 13. Trust indenture. In the discretion of the bridge commission each or any issue of such bonds may be secured by a trust indenture by and between the city and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth, or such corporate trustee and an individual or individuals as co-trustee or co-trustees, but no such trust indenture shall convey or mortgage any bridge or any part thereof. Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper, not in violation of law, including covenants setting forth the duties of the bridge commission in relation to the acquisition, construction, improvement, maintenance, operation, repair and insurance of the bridge, and the custody, safe-guarding and application of all moneys. The trust indenture may also provide that the bridge shall be acquired, constructed, or partly acquired and partly constructed, and paid for under the

supervision and approval of consulting engineers employed or designated by such bridge commission and satisfactory to the original purchasers of the bonds issued therefor, their successors, assigns or nominees, who may be given the right to require that the security given by contractors and by any depository of the proceeds of the bonds or revenues of the bridge or other moneys pertaining thereto be satisfactory to such purchasers, successors, assigns or nominees. Such indenture may set forth the rights and remedies of the bondholders and trustee, restricting the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations. Except as in this Act otherwise provided, such bridge commission may provide by resolution or by such trust indenture for the payment of the proceeds of the sale of the bonds and the revenues of the bridge to such officer, board or depository or depositories as it may determine for the custody thereof, and for the method of disbursement thereof, with such safe-guards and restrictions as it may determine. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance, operation and repairs of the bridge affected by such indenture.

§ 14. Bridge tolls. The bridge commission shall fix, charge and collect tolls for transit over each such bridge, and such tolls shall be so fixed and adjusted, in respect of the aggregate of tolls from each bridge for which bonds are issued, as to provide a fund sufficient to pay such bonds and the interest thereon, and to provide an additional fund to pay the cost of maintaining, repairing and operating such bridge, subject, however, to any applicable law or regulation of the United States of America now in force and hereafter to be enacted or made. The tolls from each bridge for which bonds are issued, except such part thereof as may be necessary to pay the cost of maintaining, repairing and operating during any period in which such cost is not otherwise provided for (during which period the tolls may be reduced accordingly) shall be set aside each month in a sinking fund which is hereby pledged to and charged with the payment of

(a) the interest upon such bonds as such interest shall fall due and (b) the necessary fiscal agency charges for paying bonds and interest and (c) the payment of such bonds, such sinking fund to be a fund for all such bonds without distinction or priority of one over another. Prior to the issuance of the bonds the bridge commission may provide by resolution or by such trust indenture for using the sinking fund or any part thereof in the purchase of any of the outstanding bonds payable therefrom at the market price thereof, but not exceeding the price, if any, at which the same shall be at the next interest date payable or redeemable, and all bonds redeemed or purchased shall forthwith be cancelled and shall not again be issued. The moneys in the sinking fund, if not used within a reasonable time for the purchase of bonds for cancellation as above provided, shall be applied to the redemption of bonds by lot at the redemption price then applicable.

§ 15. Cessation of tolls. When the particular bonds issued for any bridge and the interest thereon shall have been paid or a sufficient amount shall have been provided for their payment and shall continue to be held for that purpose, the bridge commission shall cease to charge tolls for the use of such bridge and thereafter such bridge shall be free unless tolls shall be required for maintaining, repairing and operating such bridge.

§ 16. Action by trustee and bondholders. Any holder of any of such bonds or any of the coupons attached thereto, and the trustee, if any, except to extend the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture, may, either at law or in equity, by suit, action, mandamus, or other proceeding protest and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this Act or by such resolution or trust indenture to be performed by the city issuing the bonds, or by the bridge commission or any officer thereof, including the fixing, charging and collecting of tolls for transit over such bridge.

§ 17. Contributions. The bridge commission of any such city shall have power to enter into agreements with any adjoining State or any municipality or political subdivision thereof, whereby such adjoining State, municipality or political subdivision may contribute either money or property to the cost of the construction, acquisition or the operation and maintenance of any bridge connecting such city with such other State, municipality or political subdivision. The bridge commission, in addition to the revenues which may be received from the sale of bridge revenue bonds and from the collection of tolls and other bridge revenues derived under the provisions of this Act, shall have authority to receive and accept contributions of either money or property or other things of value, to be held, used and applied for the purposes in this Act provided.

§ 18. Competing bridges and ferries. No bridge for the use of the traveling public connecting this Commonwealth with an adjoining State shall hereafter be constructed and operated by any county, municipality or political subdivision of the Commonwealth, or by any person, co-partnership association or corporation, within five miles of any toll bridge for the acquisition or construction of which bridge revenue bonds shall have been authorized under this Act, and no franchise shall hereafter be granted for the operation of a ferry within the same limits, except under a written permit granted by the State Highway Commission. No such permit shall be granted by the State Highway Commission until it shall ascertain by an investigation, including a hearing upon such notice and under such rules as the State Highway Commission may prescribe, that there is an urgent public need for the operation of such bridge or such ferry, and that its operation will not affect the revenues of any such toll bridge so as to impair the security of any bridge revenue bonds issued for the acquisition or construction of such toll bridge.

§ 19. Acquisition of ferries. The bridge commission of any city authorizing bridge revenue bonds under this Act is hereby authorized to purchase all or any ferries, together

with all necessary lands, easements and appurtenances thereto, which shall then be operating across the stream to be spanned by the bridge to be acquired or constructed and shall be within five miles of the location of such bridge. In the event of such purchase, the purchase price thereof shall be deemed a part of the cost of the bridge and shall be paid solely from funds received under the provisions of this Act. The bridge commission may maintain and operate any ferry or ferries so purchased and fix such rates of toll for the use thereof as it may deem proper, or it may in its discretion sell or otherwise dispose of any ferry so purchased, or it may abandon or dismantel the same whenever in its judgment it may seem expedient so to do. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used to pay the cost of maintaining, repairing and operating the same, and any residue thereof shall be paid into the sinking fund hereinabove provided for the bonds.

§ 20. General powers of the commission. In addition to the powers and duties enumerated in this Act, such bridge commission shall have power to do and perform any and all things and acts necessary or convenient in the construction or acquisition, maintenance and operation of any bridge to be constructed or acquired under the provisions of this Act, and in the financing thereof, to the end that such bridge may become and be operated free of tolls as early as possible and practicable, subject only to the express limitations of this Act and the constitutional provisions applicable thereto.

§ 21. Dissolution of bridge commission. When all such bonds of any such city and the interest thereon shall have been paid or their payment fully provided for, the bridge commission shall stand dissolved. Thereupon the legislative body of such city shall assume the operation, maintenance and repair of any such bridge, and, unless the cost of operation, maintenance and repair shall be otherwise provided for, shall assume the collection of tolls for the payment of such cost, and shall do any and all other acts and things that may

be necessary and convenient for the maintenance of such bridge.

§ 22. Act provides alternative method. This Act shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplementary and additional to powers conferred by other laws.

§ 23. Constitutional construction. The provisions of this Act are severable, and if any of its provisions shall be held unconstitutional by a court of competent jurisdiction the decision of such court shall not affect or impair any of the remaining provisions of this Act.

§ 24. This Act shall take effect from and after its passage and approval by the Governor as provided by law.

Ordered that said bill be read the third time.

Senator Rogers moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Edwin C. Dawson	Walter N. Flippin
W. W. Booles	Dr. T. J. Edge	Perry B. Gaines
H. M. Brock	Thos. C. Ferguson	Arch Hamilton

J. S. W. Holloway	C.T.McCormick,Sr.	J. M. Rose
Robert Humphreys	Wm. Mehler	Dr. Lewis Ryans
Wm. Isaacs	E. C. Moore	E. D. Stephenson
Silas Jacobs	Ray B. Moss	Joe Stewart
Alex E. Johnson	D. C. Naive	Thos. O. Turner
L. C. Littrell	Marion F. Pogue	Fred C. VanHoose
Frank I. Lloyd	Dr. G. W. Ragan	Sewell B. Williams
Rev. C. D. McCaw	O. M. Rogers	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Rogers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 116. An Act to amend and re-enact Sections 4645a-3 and 4645a-4, Carroll's Kentucky Statutes, 1930 Edition, relating to stenographic reporters in circuit courts not in continuous session and fixing and providing for the payment of the fees of said stenographic reporters in circuit courts not in continuous session.

Senator Jacobs moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 22. Bill to make June 3 "Confederate Memorial Day" a legal holiday.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 309. An Act to create the office of District Detective, to the Commonwealth Attorney, in certain judicial districts, composed of two counties, and having a population of 100,000 or more, according to and as established by the 1930 Federal census, providing the method of appointment, his compensation and prescribing his duties and tenure of office.

Senator Brock moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 143. An Act relating to issuing bonds by counties having cities of the second class and by cities of the second class and school boards of cities of the second class in the Commonwealth of Kentucky and prohibiting the issuing of bonds for any purpose whatsoever by cities, school boards, and counties having cities of the second class therein, except to refund old bonds for the new, or revenue bonds without first submitting the question of issuing said bonds to voters at a regular election held for State, county and city officers and receiving the affirmative vote of two-thirds of the voters voting in said election.

Senator McCaw moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of Representatives of the following title:

H. B. 212. An Act to make it compulsory for the owners of all trucks used for the purpose of hauling livestock, in the Commonwealth of Kentucky, to have the name of the owner or owners of said trucks painted on both sides and on the rear of said trucks, in letters five inches high and providing a penalty for the violation thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the owners of all trucks used for the purpose of hauling livestock, in the Commonwealth of Kentucky, be required to have the name of the owner or owners of said trucks painted on both sides and on the rear thereof, in letters not less than five inches high.

§ 2. Any person, firm or corporation violating the provisions of this Act, shall be fined not less than five dollars nor more than fifty dollars and each day that any such truck is operated in violation of the provisions of this Act shall be deemed a separate offense and punishable as such.

§ 3. This Act shall take effect according to the provisions of the Constitution of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Holloway moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provisions as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	J. S. W. Holloway	Ray B. Moss
W. W. Booles	Robert Humphreys	D. C. Naive
Edwin C. Dawson	Alex E. Johnson	Dr. Lewis Ryans
Dr. T. J. Edge	Frank I. Lloyd	E. D. Stephenson
Walter N. Flippin	Rev. C. D. McCaw	Thos. O. Turner
Perry B. Gaines	C.T.McCormick,Sr.	Sewell B. Williams

—18

Those who voted in the negative were:

H. M. Brock	E. C. Moore	Joe Stewart
Thos. C. Ferguson	Marion F. Pogue	Fred C. VanHoose
Wm. Isaacs	Dr. G. W. Ragan	F. M. White
L. C. Littrell	O. M. Rogers	W. A. Yates
Wm. Mehler	J. M. Rose	Gates F. Young

—15

Resolved that the title thereof be as aforesaid.

Senator Holloway moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 241. An Act to repeal and re-enact Section 2043-12, Supplement Carroll's Kentucky Statutes, 1930 Edition, the

same being Section 12 of Chapter 68 of the Acts of the General Assembly of 1930 and entitled "An Act concerning the manner of commitment of incompetent veterans of the World War who are beneficiaries of World War Veterans' Act as amended; and regulating the appointment, defining the duties and governing the actions of guardians and committees for beneficiaries of the World War Veterans' Act, as amended, and the World War Adjusted Compensation Act, as amended."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2043-12, Supplement Carroll's Kentucky Statutes, 1930 Edition, being Section 12 of Chapter 68 of the Acts of the General Assembly, 1930, relating to the manner of commitment of incompetent veterans of the World War who are beneficiaries of the World War Veterans' Act as amended; and regulating the appointment, defining the duties and governing the actions of guardians and committees for beneficiaries of the World War Veterans' Act, as amended, and the World War Adjusted Compensation Act, as amended, be and the same is hereby repealed, amended and re-enacted, so that such section when thus repealed, amended and re-enacted shall read as follows:

Section 12. Every guardian or committee shall invest the funds of the estate in such manner or in such securities, in which the committee or guardian has no interest, as allowed by law or approved by the court or in annuities.

All laws or parts of laws in conflict herewith are hereby repealed.

Whereas, any delay in the privilege of so investing the funds of a veteran may result in a loss of income to such veteran, an emergency is hereby declared to exist, and this

Act shall take effect upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

Senator Moss moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	D. C. Naive
W. W. Booles	Alex E. Johnson	Marion F. Pogue
H. M. Brock	Frank I. Lloyd	Dr. Lewis Ryans
Edwin C. Dawson	Rev. C. D. McCaw	E. D. Stephenson
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
J. S. W. Holloway	E. C. Moore	F. M. White
Robert Humphreys	Ray B. Moss	Gates F. Young
Wm. Isaacs		—25

Resolved that the title thereof be as aforesaid.

Senator Moss moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 92. An Act providing for the licensing of drivers of motor vehicles upon the highways of this Commonwealth, providing for the issuing and revocation of same, the recording of motor vehicle offenses, fixing the amount of said license, and providing penalties for violations.

Senator Johnson moved that said bill be made a special order for Tuesday, February 23rd, 1932, at 1 o'clock P. M.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 354. An Act to amend and re-enact Chapter 41 of Carroll's Kentucky Statutes in so far as said action applies to counties containing cities of first class, providing for the adoption of voting machines, providing for the rules and regulations governing the use of said machines.

Senator Hamilton moved that said bill be made a special order for Tuesday, February 23rd, 1932, at 2 o'clock P. M.

Said motion was agreed to.

Senator Turner moved that the Senate recess until 2 o'clock P. M., for the purpose of hearing Governor Gardner of North Carolina address the General Assembly.

Said motion was agreed to.

The Senate reconvened at 2 o'clock P. M.

Senator Bondurant moved that the privileges of the floor be extended to Messrs. Chas. Craycroft, Ike Hanke, Jim Hayer, H. Edelin and L. Hamilton.

Said motion was agreed to.

Senator Rose moved that the privileges of the floor be extended to Mr. H. L. Woods.

Said motion was agreed to.

Senator Mehler moved that the privileges of the floor be extended to Miss Chamberlain, Miss McConathy, Miss Huffmann, Miss Perry and Miss Scott of Louisville.

Said motion was agreed to.

Senator Brock moved that the privileges of the floor be extended to Hon. J. B. Snyder.

Said motion was agreed to.

Senator Edge moved that the vote by which H. B. 162 was passed on February 18th be reconsidered.

Said motion was agreed to.

Senator Edge moved that H. B. 162 be made a special order for February 23rd at 2:15 o'clock P. M.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 355. An Act repealing and re-enacting Chapter 107 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1926 session, same being Sections 165-1, to 165-8, inclusive, of Baldwin's 1930 Supplement to the Kentucky statutes, Carroll's 1922 Edition, and also repealing and re-enacting Chapter 11 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1930, same being Sections 165-9 to 165-24, inclusive, Baldwin's 1931 Kentucky Statute Service, Carroll's Kentucky Statutes. Said Acts hereby repealed relate to the creation of an Air Board for Kentucky; provide the number, qualifications, term, powers and other matters relating to said Board; provide for the creation of airports, buildings and facilities; provide for the

licensing and registration of air men and aircrafts; authorizing the members of said Board to employ the necessary personnel, and to empower the Air Board of Kentucky to enforce laws relating to aviation.

Senator Ferguson moved that said bill be made a special order for Tuesday, February 23rd, 1932, at 2:30 P. M.

Said motion was agreed to.

Senator Johnson proposed the following resolution:

S. Res. 36. Whereas, the famous Jack Dempsey will shortly appear before this august body, and

Whereas, we have as our Sergeant-at-arms the internationally known Red Roberts and

Whereas, we Kentuckians believe that said Roberts can lick anybody in the world, Jack Dempsey, included,

Therefore, be it resolved that said Dempsey and Red Roberts be invited and instructed to put on a private boxing bout for the enlightenment and education of the Senate.

Senator Johnson moved the suspension of the rules, and the adoption of said resolution.

Said motion was agreed to.

The question being taken on the adoption of the resolution, it was decided in the affirmative.

Said resolution was adopted.

A message was received from the House of Representatives announcing that they had passed a bill of the following title:

S. B. 177. An Act to amend sections 4426b-1 and 4426b-3,

Carroll's Kentucky Statutes, 1930, edition, and providing for the election of sub-district school trustees and prescribing the duties of the county superintendent of schools and the county board of education.

With the following amendments thereto:

Amendment No. 1. Amend S. B. 177 by adding at the end of line 22, Section 2 of the printed bill the following: "Provided, however, that wherever the word 'subdistrict' is used in this act it shall be construed to include all schools and school districts under the control of the County Board of Education of the various counties of this State, including Consolidated School Districts."

Amendment 2. Amend S. B. 177 by inserting in line 8 between the words "districts" and "shall" the following words: "excepting counties having cities of the first and second classes, in which counties, Sections 4426b-1 and 4426b-3 of Carroll's Kentucky Statutes, shall remain in full force and effect. It is the legislative intent that should the exception of counties containing cities of the first and second class from the provision of this Act be declared unconstitutional, it shall not in any way affect the other provisions.

Amendment to Title: Amend the title to S. B. 177 by adding to the title the following: "excepting from the provisions hereof counties containing cities of the first and second class."

Senator Stephenson moved that the Senate concur in amendment number 1.

The question being taken thereon, was decided in the affirmative by a majority of the members elected.

Said amendment was adopted.

Senator Stephenson moved that the Senate refuse to concur in the other amendments.

The question being taken thereon, was decided in the affirmative and

Therefore, the Senate refused to concur in the other amendments to said bill.

Senator Stephenson moved that the Lieutenant-Governor appoint a committee to confer with a like committee from the House of Representatives to reach an agreement on said amendments.

Said motion was agreed to.

Thereupon, Lieutenant-Governor Chandler appointed Senators Stephenson, Booles and Dawson as a Conference Committee to confer with a like committee from the House of Representatives.

A communication was received from Carl Malone, Commissioner of Boxing of the Commonwealth of Kentucky, inviting the General Assembly to visit a bout between Jack Dempsey and Frankie Wine in Louisville on Tuesday, February 23rd.

Senator Brock moved that said invitation be accepted.

The question being taken thereon, was decided in the affirmative.

Said invitation was accepted.

Senator Ryans moved that the Senate do now adjourn.

Said motion was agreed to.

TUESDAY, FEBRUARY 23, 1932.

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by Dr. J. F. Simpson of the Frankfort Presbyterian Church.

The roll of the Senate was called and the following Senators answered to their names:

Jas. H. Bondurant	Silas Jacobs	O. M. Rogers
W. W. Booles	Alex E. Johnson	J. M. Rose
H. M. Brock	L. C. Littrell	R. H. Royster
Edwin C. Dawson	Frank I. Lloyd	Dr. Lewis Ryans
Dr. T. J. Edge	Rev. C. D. McClaw	E. D. Stephenson
Thos. C. Ferguson	C.T.McCormick,Sr.	Joe Stewart
Walter N. Flippin	Wm. Mehler	Thos. O. Turner
Chas. G. Franklin	E. C. Moore	Fred C. VanHoose
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch Hamilton	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Allie W. Young
Robert Humphreys	Dr. G. W. Ragan	Gates F. Young
Wm. Isaacs		—37

Senator Gates F. Young moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Royster moved that the privileges of the floor be extended to Mr. T. A. Stewart of Dixon and Mr. Bailey Franklin.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor be extended to Mrs. Robie, Misses Robie, Jane Walite and Starling Tracy of Winchester.

Said motion was agreed to.

Senator Booles moved that the privileges of the floor be extended to Mr. Joseph Hill of Frankfort.

Said motion was agreed to.

Senator Royster moved that the privileges of the floor be extended to Prof. N. O. Kimbler and Prof. C. E. Dudley of Henderson.

Said motion was agreed to.

Senator Williams moved that the privileges of the floor be extended to Judge C. A. Bock of Jackson.

Said motion was agreed to.

Senator Ryans moved that the privileges of the floor be extended to Mrs. N. Denunzio, Miss Ida Dobbs, Mrs. Louis Muennenhoff, Mrs. John Reader and Mrs. Thompson.

Said motion was agreed to.

Senator Pogue moved that the privileges of the floor be extended to Mr. Alton Wicker.

Said motion was agreed to.

Senator Lloyd moved that the privileges of the floor be extended to Mrs. Easley, Mrs. Ratcliffe, Mrs. Hartman and Mrs. Greene.

Said motion was agreed to.

Senator Rose moved that the privileges of the floor be extended to Messrs. G. M. Plummer and W. J. Canafax.

Said motion was agreed to.

Senator Stewart moved that the privileges of the floor be extended to Miss Helen Allen of Louisville.

Said motion was agreed to.

Senator Ragan moved that the privileges of the floor be extended to Dr. Chester Dorsey.

Said motion was agreed to.

Senator Van Hoose moved that the privileges of the floor be extended to Dr. G. G. Bell.

Said motion was agreed to.

Senator Flippin moved that the privileges of the floor be extended to Mr. and Mrs. Mayo Feckheimer.

Said motion was agreed to.

Senator Stewart moved that the privileges of the floor be extended to Messrs. Benton Reynolds, W. H. McCubbins, J. G. Riordan, E. B. Jaggers, Carl Appleby and Tom Baumgardner of Munfordville.

Said motion was agreed to.

Senator Gaines moved that the privileges of the floor be extended to Dr. W. M. Randall of Louisville and Messrs. P. H. Williams and Jas. Bond of Carrollton.

Said motion was agreed to.

Senator Pogue moved that the privileges of the floor be extended to Judge H. F. Green.

Said motion was agreed to.

Senator Royster moved that the privileges of the floor be extended to Dr. H. L. Duncan of Winchester and Miss Dorris Springfield of Sebree.

Said motion was agreed to.

Senator Dawson moved that the privileges of the floor be extended to Messrs. P. K. McElroy, Oliver Kelly, Ernest Gaylord and John R. Thomas of Lebanon.

Said motion was agreed to.

Senator Gates F. Young moved that the privileges of the floor be extended to Dr. O. D. Wilson and Dr. O. B. Heavrin of Owensboro, Mrs. Sherman Goodpaster and Mrs. Tony Bunhan.

Said motion was agreed to.

Senator Rose moved that the privileges of the floor be extended to Messrs. W. W. Boggs, Geo. W. Logan, C. A. White, C. Huff, Prof. Lappin, Mrs. Johnson and Miss Howard.

Said motion was agreed to.

Senator Isaacs moved that the privileges of the floor be extended to Mrs. Rowland, Mrs. Seale and Mrs. Campbell.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor be extended to County Judge Geo. Batterton and County Attorney Gene Lay of Paris.

Said motion was agreed to.

A message was received from the House of Representatives announcing that they had passed bills of the following titles:

H. B. 400. An Act relating to the advancement of credit against labor performed or to be performed.

Said bill was referred to the Committee on Labor and Manufacturing.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. Any person, firm or corporation engaged in any trade or business, either directly or indirectly, may issue, sell, give or deliver, upon the request of any employee of such person, firm or corporation, to such employee as a medium of credit, in payment for labor performed or for labor to be performed, non-transferable scrip, tokens, drafts, orders or coupons, payable and redeemable in merchandise only by the employee to whom issued; provided, that the issuance of any such non-transferable scrip, tokens, drafts, orders or coupons by any such person, firm or corporation, shall be construed, taken and held in all courts and places to be a promise to pay, by the person, firm or corporation issuing same, to the employee to whom issued, in lawful money of the United States or check, upon demand and surrender by said employee of such scrip or any unused portion thereof, at such regular settlement day or pay day when the same would have been due in cash had not the said order, scrip or token been issued.

Any person, firm or corporation failing and refusing to pay the employee to whom is issued such non-transferable scrip, tokens, drafts, orders or coupons, or any unused portion of the same, for which labor has been performed on their regular settlement day or pay day, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty nor more than fifty dollars, and for a second or a subsequent offense shall be fined not less than twenty-five nor more than one hundred dollars.

All acts or parts of acts inconsistent with this act are hereby repealed.

H. B. 452. An Act repealing and re-enacting Sections 4130, 4135, 4143, 4147, and 4148 of Carroll's Kentucky Statutes, 1930 Edition, which sections relate to revenue and taxation, and repealing all acts, parts of acts, and laws in conflict with this Act.

It was ordered that said bill be referred to the Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4130 of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed and reenacted, so that said section when thus repealed and reenacted shall read as follows:

"The sheriff or collector shall, on or before the first day of June next succeeding his election, and on or before the said day annually thereafter, enter into bonds with surety for the faithful performance of his duties as revenue collector. A quietus by the auditor of public accounts, and from the fiscal court of this county for the preceding year following the first one shall be produced by each sheriff or collector of the county court on or before that day, and no tax-book shall be delivered to the sheriff or collector after the first year of his term who shall fail to exhibit such quietus on or before that date. He may execute bond at any time after he qualifies, up to and including the first day of June succeeding his election, and it shall be the duty of the judge of the county court to hold a court at any time the sheriff may request for that purpose.

The county judge shall judge of the sufficiency of the surety, and in no case shall sureties be taken who are not jointly worth, subject to execution after the payment of all debts and liabilities, a sum equal to the aggregate amount of money which may probably be received by he sheriff or collector during the year succeeding the execution of the bond.

The Commonwealth, the county and taxing district shall have a lien from the date the sheriff begins to act upon the real estate of the sheriff therein secured or afterward acquired by him, which shall not be discharged until the whole

amount of money collected by the sheriff or collector, or for which he may be liable to them respectively, shall have been paid, and the same lien shall exist upon the real estate of a usurper of the office of sheriff or collector, or a de facto sheriff or collector, or any person who may act as sheriff or collector, provided, however, that if in any county the tax records are destroyed by fire, lost, stolen, or mutilated, so as to require a reassessment of the property in any county or recertification of the tax bills, that the sheriff in such counties shall have five months from the time he receives said re-certified tax bills within which to make the settlements with the fiscal court and auditor as herein provided and to execute the bond referred to in this section, and to receive his quietus from the auditor of public accounts and from the fiscal court of his county for the preceding year.

§ 2. That section 4135, Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed and reenacted, so that said section when thus repealed and reenacted shall read as follows:

The outgoing sheriff, as soon as his successor has been qualified and inducted into office and his official bond approved, shall immediately vacate his office, deliver to his successor all books, papers, records and other property held by virtue of his office and shall make a full and complete settlement of his accounts as sheriff. Except that the outgoing sheriff upon the execution, as herein provided, a new revenue bond, shall keep in his possession all unpaid tax bills and shall collect and account for same as provided by law, and shall have until the first day of June after his term of office has expired to make his settlement with the auditor of public accounts and the fiscal court of his county and to receive his quietus, and immediately thereafter he shall deliver these records to his successor. On the failure of any outgoing sheriff for ten days to comply with the provisions of this section, he shall be deemed guilty of a misdemeanor and, on conviction, be fined in a sum not less than fifty dollars ($50) nor more than five hundred dollars ($500) and be liable on his bond for any default.

§ 3. That Section 4143 of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed and re-enacted, so that said section when thus repealed and re-enacted shall read as follows:

The sheriff or collector of revenue in each county of this Commonwealth shall on or before the 10th day of each month report under oath to the Auditor of Public Accounts the amount of all taxes he has collected for the preceding month, and shall, on or before the making of such report, pay into the State Treasury all taxes which he has collected for the State for said preceding month. Any sheriff or collecting officer who shall fail to report as herein required, shall be liable to indictment in the Franklin Circuit Court, and upon conviction shall be fined not less than one hundred dollars ($100) nor more than five hundred dollars ($500), for each offense, and it shall be the duty of the Auditor of Public Accounts to report to the grand jury of Franklin county at each term of said court any such sheriff or collector failing to report as herein required. Any sheriff or collector failing to pay over any taxes collected by him and due the State as hereinabove set out, shall be required by the Auditor of Public Accounts to pay a penalty of six per centum (6%), and interest at the rate of six per centum (6%) on such taxes, and the Auditor of Public Accounts, in his settlement with the sheriff or collector, shall charge him with the penalties accruing under the provisions of this Act.

§ 4. That Section 4147 of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed and re-enacted, so that section when thus repealed and re-enacted shall read as follows:

The sheriff or collector of the State and county revenue of each county of this Commonwealth, shall, on or before the 10th day of each month, in each year, report under oath to the county court of his county the amount of State and county taxes he has collected during the month preceding, together with all fines, forfeitures or money, or any other account that

shall have been received or collected by him for said preceding month, showing in said report the amount collected for and belonging to each particular fund, for which such revenue or money may be intended, and the disposition of such revenue or money collected by him. The sheriff or collecting officer shall be required by the fiscal court to pay a penalty of six per centum (6%) on all taxes or other moneys collected by him to the county treasurer by the 10th day of each month following the month in which such collection was made. The reports herein referred to shall be filed and recorded in separate books furnished by the county court for that purpose, which shall be open for inspection in the office of the county clerk. Any sheriff or collector who shall fail to report as herein required shall be liable to indictment in the county of his residence, and fined not less than one hundred dollars ($100) nor more than five hundred dollars ($500).

§ 5. That Section 4148, of Carroll's Kentucky Statutes, 1930 Edition be and the same is hereby repealed and reenacted so that said section when thus repealed and reenacted shall read as follows:

All State, county and district taxes, except as otherwise specially provided, shall be due and payable on and after the first day of March after the assessment, and all taxpayers whose taxes are not paid on or before the last day of February after the same are due, shall be deemed delinquent, and such taxes shall bear interest at the rate of six per cent. (6%) per annum from the last day of February after they are due until paid, and any person or persons failing to pay their taxes on or by the last day of February after they are due, shall pay a penalty of six per centum (6%) additional on the taxes due and unpaid. Providing any taxpayer who pays his or her or its State, county or district taxes on or before November 1, after same becomes due in any year shall be entitled to 2% discount thereon, and the collector, in case of all such payments will allow such reduction and give a receipt in full to the taxpayer. The sheriff or collector whose duty it is to receive or collect the taxes shall collect the interest and pen-

alty and account for the same in the same way in which they are required to collect and account for the taxes.

§ 6. If any section of this Act shall be held to be invalid or unconstitutional, such fact shall not affect any other section of this Act, it being the intention of the General Assembly in enacting this act to enact each section separately; and if any proviso or exception contained in any section of this act shall be held invalid or unconstitutional, such fact shall not affect the remaining portion of such section, it being the intention of the General Assembly to enact each section of this Act and each proviso and each exception thereto separately.

§ 7. All acts and laws in conflict herewith, to the extent of such conflict, are hereby repealed.

H. B. 672. An Act to amend and re-enact an act of the General Assembly of the Commonwealth of Kentucky of 1932 known as House Bill No. 245, approved by the Governor on February 2, 1932, and entitled "An Act to amend and re-enact Section 4693, Carroll's Kentucky Statutes, relating to depositories."

It was ordered that said bill be referred to the Committee on Banks and Trust Companies.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an Act of the General Assembly of the Commonwealth of Kentucky of 1932 known as House Bill No. 245, approved by the Governor on February 2, 1932, and entitled "An Act to amend and re-enact Section 4693, Carroll's Kentucky Statutes, relating to depositories" be amended and re-enacted so that, when amended and re-enacted, said Act approved February 2, 1932, and said Section 4693 of Carroll's Kentucky Statutes, Baldwin's 1930 Edition, shall read as follows:

"Before any bank shall be named as depository, or permitted to receive public funds, said bank shall execute to the Commonwealth of Kentucky a bond, with good surety, worth severally or jointly, not less than One Hundred Thousand Dollars ($100,000.00) to be approved by the Treasurer and Governor, conditioned that said bank will pay over, when demanded, all money deposited with it by the Treasurer, and otherwise faithfully comply with the requirements of the law relating to it as a depository. The bond shall be filed with and be recorded by the Secretary of State, and shall be renewed at least once in every two years and oftener if required by the Treasurer. Or, in lieu of the bond herein provided for, said bank may pledge with the State Treasurer, to secure said deposit, and for that purpose the State Treasurer may accept, warrants issued by the Auditor of Public Accounts against the State Treasurer and/or such government bonds as are direct obligations of the United States Government, provided that such warrants and/or bonds shall have a total face value in an amount at least ten per centum. (10%) in excess of said deposit and provided further that the State Treasurer shall at all times require such pledge of State warrants and/or United States bonds as will have a currently quoted market value at least equal to said deposit and for that purpose the Treasurer and Governor shall from time to time call for additional security of such warrants or such bonds, as current market values may require. A written receipt for which warrants and/or bonds so pledged shall be delivered by the Treasurer to the depository pledging same. And the Commonwealth of Kentucky shall be liable to said bank for the safe keeping of State warrants and/or United States bonds pledged under this Act, while so pledged, and to enforce said liability said bank is hereby granted permission to maintain an action against the Commonwealth in the Franklin Circuit Court from the judgment of which court an appeal by either party shall lie to the Court of Appeals as in other cases provided. The execution of this bond, for the deposit of the public funds in banks named as depositories, or the pledge of said State warrants and/or Government bonds shall not in any wise diminish the

liability of the Treasurer and his sureties upon his bond; nor shall the execution of said bond nor the pledge hereunder impair or delay the right of the Commonwealth to recover on the Treasurer's bond for any loss or misapplication of the public funds or other delinquency in office. Neither shall the execution of the bond by the bank nor said pledge impair or delay in any way the right of the Commonwealth to recover from any delinquent or defaulting bank, or the officers or stockholders thereof, in the same manner as other depositories."

All laws or parts of laws inconsistent with this Act are hereby repealed.

Whereas, because of the current financial stringency and the practically insuperable difficulties now encountered by State depository banks in securing depository bonds, a flight of capital from the State, to the irreparable injury of agriculture and industry is imminent, an emergency is declared to exist and this bill shall take effect upon its passage and approval by the Governor.

H. B. No. 362. An Act amending Section 579, Kentucky Statutes, Carroll's 1930 Edition, relating to banks and banking, and empowering banks, trust companies, and combined banks and trust companies to pledge certain assets as security for public funds of the United States, State, municipal, county, public schools, taxing districts, and other public funds.

It was ordered that said bill be referred to the Committee on Banks and Trust Companies.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 579 Kentucky Statutes, Carroll's 1930 Edition, be and the same hereby is amended so that said

section as amended shall read as follows: When the articles are filed and recorded as provided by law it may commence business and shall thereupon become a body corporate, and to be known by and carry on its business in its corporate name, and as such shall have power to adopt and use a corporate seal; to make contracts, sue and be sued, to appoint, remove and elect officers, define their duties, and require from any of them a bond for the faithful discharge of their duties; to prescribe, by its board of directors, by-laws for the government of the bank not inconsistent with law; to exercise, subject to law, such powers as may be necessary to carry on the business of banking by discounting and negotiating notes, drafts, bills of exchange, and other evidences of debt, and purchasing bonds, receiving deposits, and allowing interest thereon, buying and selling exchange, coin and bullion, and lending money on personal or real security, as provided in this article. Any bank or trust company may accept for payment at a future date drafts or bills of exchange drawn upon it by its customers and issue letters of credit authorizing the holders thereof to draw drafts upon it or its correspondents at sight or on time, not exceeding one year, and may also accept drafts or bills of exchange drawn upon it, having not more than six months' sight to run, growing out of transactions involving the importation and exportation of goods, and any bank or trust company may discount acceptances which are based upon the importation or exportation of goods and which have a maturity at time of discount of not more than three months and are endorsed by at least one other bank or trust company, but no bank or trust company shall accept such drafts or bills of exchange to an amount equal at any time in the aggregate to more than one-half of its paid-up and unimpaired capital stock and surplus, except by authority of the banking commissioner under such general regulations as said commissioner may prescribe, and in no event to an amount exceeding the capital stock and surplus of such bank or trust company; and such regulations shall apply to all banks or trust companies alike, regardless of the amount of capital stock and surplus. In addition to the powers heretofore conferred

upon and now possessed by banks, trust companies, and combined banks and trust companies doing business under the laws of this State, they are hereby authorized and empowered, subject to charter limitations, to pledge such portion of their assets as may be required as collateral security for the deposit and/or deposits of public funds deposited with them, or any of them, by or under the authority of the United States, the Commonwealth of Kentucky, or any county, municipality, public school district, or other taxing district within the Commonwealth of Kentucky, or by any tax collector or other person having the legal custody or control of any such public fund or funds.

§ 2. All acts and parts of acts in conflict herewith, to the extent of such conflict, are hereby repealed.

§ 3. On account of the financial conditions generally and of the difficulty in obtaining security and protection for the deposit of public funds, an emergency is declared to exist and this act shall become effective immediately upon its passage and approval by the Governor.

H. B. No 370. An Act to repeal Chapter 15, Acts of 1930, appropriating for the State Banking Commission for the purpose of paying salaries, printing, stamps, supplies, and other expenses of the operation and maintenance of said department, all fees realized from examinations of the sundry banks and building and loan associations as provided by law for the fiscal year ending June 30, 1930, and enacting in lieu thereof an act providing that the Banking Department shall have for the purpose of paying all salaries, printing, stamps, supplies and other expenses of the operation and maintenance of said department, all the fees realized from examinations of the sundry banks and building and loan associations, as provided by law.

It was ordered that said bill be referred to the Committee on Banks and Trust Companies.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 15, Acts of 1930, approved February 6, 1930, be and the same is hereby repealed.

§ 2. There is hereby set aside and appropriated for the use of the Department of Banking for the purpose of paying the salaries, printing, stamps, supplies, and other expenses of operation and maintenance of said Banking Department, all the fees heretofore or hereafter realized from examination of sundry banks and building and loan associations as now provided by law.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

§ 4. Due to the closing and suspension of a large number of Banks in the Commonwealth thereby increasing the labors of the Banking Department and requiring more assistance, an emergency is declared to exist and the Act shall take effect upon its passage by the General Assembly of the Commonwealth of Kentucky and approval by the Governor.

H. B. 544. An Act requiring all incorporated cities and towns in the State of Kentucky to acquire lands for dumping garbage, and compelling said city or town to keep an open road to and from such lands in repair.

It was ordered that said bill be referred to the Committee on Classification of Cities and Towns.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That each and every city or town in the State of Ken-

tucky may acquire suitable lands for dumping garbage, and compel said city or town to keep an open road to and from such lands in repair.

All laws and parts of laws in conflict with this act are hereby repealed.

H. B. 730. An Act to provide for the appointment of a County Superintendent of Schools in Counties containing cities of the first or second class, and describing his term of office, qualifications, duties and salary, and repealing all laws or parts of laws in conflict herewith.

It was ordered that said bill be referred to the Committee on Education.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The County Board of Education of each County containing cities of the first or second class shall appoint, on the first Monday in January, 1933, a County Superintendent of Schools for a term of not more than four years next succeeding his appointment, and he shall hold office until his successor has been appointed and qualified. No person thus appointed shall be eligible to the office who does not hold a proper certificate in scholarship, administration and supervision, as provided by laws, provided that all County Superintendents of Schools in Counties containing cities of the first or second class holding office at the time that this Act shall take effect shall continue to serve to the end of the term for which they were originally appointed and until their successors are appointed and qualified, unless removed as provided by this Act, and he shall be eligible for reappointment.

The County Superintendent of Schools shall devote his entire time to the public school business and shall receive

such compensation as the County Board of Education shall direct to be paid from the county school funds in monthly installments, provided that no County Superintendent of Schools appointed to office under the provisions of this section shall be paid a salary of less than twelve hundred dollars ($1,200.00) per year. In case of vacancy due to any cause the County Board of Education shall fill the vacancy and the appointment shall be for the unexpired term, and until his successor shall have been appointed and qualified.

The County Superintendent of Schools as executive officer of the County Board of Education, shall see that the laws relating to the schools, the by-laws, rules and regulations of the State Board of Education, and regulations and policies of the County Board of Education are carried into effect.

The County Superintendent of Schools shall recommend for condemnation school buildings which are unsanitary and unfit for use. He shall recommend the repairs, the purchase of grounds, school sites and grounds, the sale of the same, and shall cause to be prepared all plans and specifications for remodeling of old building, provided that the plans and specifications for any and all buildings to be erected in said county shall be submitted to the State Superintendent of Public Instruction or his agent for approval.

The County Superintendent shall approve in writing all contracts, of any kind, entered into by the County Board of Education, and no contract entered into by the County Board of Education, without the written approval of the County Superintendent of Schools shall be valid.

The County Superintendent of School shall be the representative of the State Superintendent of Public Instruction in all examinations for teachers' certificates, conducted within the county, and shall perform such duties connected therewith as may be required by law.

§ 2. All laws or parts of laws in conflict herewith hereby are repealed.

H. B. 99. An Act to repeal Section 4151-2 of the Acts of the General Assembly of Kentucky of 1928 approved March 3rd, 1928, relating to taxation and revenue as set out in chapter 129, in said Acts of 1928, General Assembly of Kentucky, which section 4151-2 provided for interest and penalty on lands when sold for taxes, and amending and re-enacting said section 4151-2 and providing for interest and penalty on lands sold for taxes and providing for redemption thereof.

It was ordered that said bill be referred to the Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4151-2 of Chapter 129, Acts of the General Assembly of Kentucky of 1928, approved March 3rd, 1928, be and the same is hereby repealed and amended and re-enacted to read as follows:

Section 4151-2, land sold for taxes, redemption, possession, clerk may collect delinquent tax, duties of county judge, sheriff, clerk, county attorney.

When real estate is sold for taxes if no one will bid for and purchase such real estate at the amount of tax, interest, penalty and cost including the cost for advertising and the sheriff's or collector's commission it shall be the duties of the sheriff or collector to purchase the same for the State, county and taxing district having taxes against the delinquent for the amount of tax due, interest, penalty, cost and commission thereon and shall make returns to the county clerk as provided in section 40 of article 8, and the clerk shall certify the same to the auditor of public accounts and the sheriff or collector shall have credit for the amount of such tax due State in the settlement with the auditor of public accounts. The owner of such real estate, his representatives, heirs or assigns shall have the right to redeem the same from the

State, County and District or any other purchaser at any time within five years after the day of sale by paying the purchase money with interest at the rate of 6% per annum, and in addition 2% penalty upon the total amount of the purchase price and amount of all costs. The State, County and District shall have the right to possession of land purchased by them at any time after the expiration of the five years allowed for redemption by giving thirty days' notice to the owner, and the purchaser other than State, county and district shall have the right to possession of land purchased by him after the expiration of five years allowed for redemption by giving six months' notice to the owner thereof.

In redemption of lands sold for the county, State and district for delinquent taxes at any time within a period of five years after the sale or until the revenue agent under the direction of the auditor of public accounts assuming charge of the same or otherwise the county clerk is hereby vested with the authority to collect such delinquent taxes, interests, costs, commission and penalties prescribed by law, and he shall make report thereof to the auditor of public accounts, the treasurer of the county and the proper officers of the district as often as the latter officers may require, and not less than once every thirty days, and he shall pay into the State treasury all monies collected by him due the State; and the county treasurer all monies due the county, and all monies due to the district to the proper officer thereof, as herein authorized, on the first day of every month and oftener if required by auditor of public accounts, or either of the other officers mentioned. Said report of county clerk, showing the name of each owner and each piece of property redeemed, the year's taxes for which delinquent, the assessed valuation of same for each year, and the total amount paid to the State, county and district for redemption shall be examined by the county court, and if found correct, certified to the auditor of public accounts; together with the total sum due the State as shown on said report less 5% commission for the collection which he shall retain for his services.

S. B. 87. An Act relating to the conveyance of the Perry-

ville Battlefield to the United States of America for national cemetery or park purposes.

S. B. 192. An Act to establish an employment service; providing for cooperative agreement with county, municipal, school and Federal government agencies; prescribing the duties and authority of the chief officer of the Department of Labor; to carry out the objects of this Act.

S. B. 265. An Act to regulate the distribution and sale, the selling or exposing for sale, of agricultural seed; defining same, providing for inspection thereof and fixing penalties for violation of this Act; naming the enforcing agent, prescribing his duties and empowering him to make rules and regulations necessary to carry out the intent and meaning of this Act; to provide means for carrying out its provisions; and to repeal all laws or parts of laws in conflict with this Act.

S. B. 67. An Act to amend an act entitled "An Act to provide for the distraining for graded common school taxes in graded common school districts other than those in cities of the first, second, third or fourth class," being Chapter 59 of the Acts of the General Assembly of 1928, approved March 17, 1928, and to provide additional remedies for the collection of school taxes in said graded common school districts.

S. B. 255. An Act to regulate traffic over and upon bridges and ferries now or hereafter owned or operated by the Commonwealth of Kentucky through its agent, The State Highway Commission of Kentucky, making it unlawful for any person to injure, deface or damage any bridge or ferry, or any part thereof, so owned and operated; making it unlawful for any person, except those specifically exempted by this Act, to pass over or upon any bridge vesting in collectors of tolls stationed at or upon any bridge or ferry so owned or operated with the powers of peace officers; vesting in The State Highway Commission of Kentucky power to make rules and regulations for the enforcement of this Act, and, also,

prescribing penalties for the commission of offenses defined in this Act.

A message was received from the House of Representatives announcing that they had adopted the following resolution:

H. Res. No. 21. Resolution for the benefit of William E. Clark of Frankfort, Kentucky.

It was ordered that said resolution be referred to the Committee on Appropriations.

Said resolution reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2 of Section 606 of Carroll's Kentucky Civil Code of Practice be, and the same hereby is, amended and re-enacted so that the same, when amended and re-enacted, shall read as follows, to-wit:

2. (Infant—lunatic or dead person—when party may testify against.) Subject to the provisions of subsection 7 of this section, no person, shall testify for himself concerning any verbal statement of, or any transaction with, or any act done or omitted to be done by an infant under fourteen years of age, or by one who is of unsound mind or dead when the testimony is offered to be given except for the purpose, and to the extent, of affecting one who is living, and who, when over fourteen years of age and of sound mind, heard such statement, or was present when such transaction took place, or when such act was done or omitted, unless—

a. (Infant—provision as to.) The infant or his guardian shall have testified against such person, with reference to such statement, transaction or act, or an adverse party shall have introduced evidence with reference to such statement, transaction or act; or,

b. (Person of unsound mind.) The person of unsound mind shall, when of sound mind, have testified against such person, with reference thereto, or an adverse party shall have introduced evidence with reference to such statemnt, transaction or act; or

c. (Decedent—provision as to.) The decedent, or a representative of, or someone interested in, his estate, shall have testified against such person, with reference thereto, or an adverse party shall have introduced evidence with reference to such statement, transaction or act; or

d. (Agent of decedent or person of unsound mind.) An agent of the decedent or person of unsound mind, with reference to such act or transaction, shall have testified against such person, with reference thereto, or be living when such person offers to testify, with reference thereto.

§ 2. Owing to the fact that injustice results from the application of the law as it now stands, and there are numerous suits pending in the courts of this Commonwealth in which such application will result in grave injustice, an emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval as required by law.

Bills of the following title were introduced, referred and ordered printed, as follows, viz:

By Senator Gates F. Young.

S. B. 412. An Act to amend and re-enact Section 3354 of Kentucky Statutes relating to police judges in cities of the third class.

To Committee on Classification of Cities and Towns.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3354 of Kentucky Statutes (Carroll's Edition, 1930), be amended as follows: By inserting after the word "City" in the third line of said section the following words, "and who has not been a regular licensed lawyer for at least two years" and who has not been an actual resident thereof two years next preceding his election.

Said section when so amended will read as follows:

Section 3354. Qualifications. No person shall be eligible to the office of Police Judge, who, at the time of his election, is under 24 years of age, and who is not a qualified voter in said city, and who has not been a regular licensed lawyer for at least two years, and who has not been an actual resident thereof two years next preceding his election.

By Senator Humphreys.

S. B. 413. An Act relating to roads and highways and describing and fixing the project to be added to the primary system of roads and highways.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State primary system of highways in the Commonwealth the following route to-wit: Beginning at or near Milburn on Project No. 1, in Carlisle County, and extending to a point at or near Dublin on Project 610 in Graves County, via St. Dennis Church in Hickman County. This route when established to be designated as Project No. —, and to be entitled to and receive all the benefits to the primary system.

By Senator Stephenson.

S. B. 414. An Act relating to the fiscal administration of the Commonwealth of Kentucky, and amending Section 1992a-24, Carroll's Kentucky Statutes, 1930 Edition, prescribing the duties of the State Budget Commission with reference to the control and supervision of expenditures by the various budget units of the State, and prescribing the duties of the Auditor of Public Accounts, the State Tax Commission and other officers of the State, and repealing Section 1992a-26, Carroll's Kentucky Statutes, 1930 Edition.

To Committee on Kentucky Statutes, No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1992a-24, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted, and as amended and re-enacted shall read as follows:

The Governor may, in his discretion, require any contract for the purchase of supplies, or contract, plans or specifications for the purchase of real estate, or the construction or reconstruction of any building or other public work whatsoever, contemplated or entered into by any department, board, commission, institution, office, agency, society or other administrative organization of the Commonwealth, to be submitted to him for his approval, and if, in his opinion, the proposed expenditure is unwise, or if any contract, or contracts, plans, or specifications, in his judgment, are ill advised, he shall have the power and authority to disapprove said contract, or contracts, plans or specifications, and upon the disapproval of said contract or contracts, plans or specifications, shall be null and void.

§ 2. The State Budget Commission shall have the power

and authority and it shall be its duty to supervise and control the expenditures of each budget unit of the State during each fiscal year. The State Budget Commission shall require the head of each budget unit to file with it on the first day of each month, after the first calendar month of the fiscal year, a detailed statement showing its expenditures for the preceding calendar month, and shall require the head of each budget unit at the end of each three months to file a summary of its expenditures for the three preceding months, together with a forecast of its necessary expenditures for the next three months. The budget commission shall require the State Tax Commission and other officers and agencies of the State, whose duty it is to collect the revenues of the State, to file with them a statement every three months of the fiscal year showing in detail the accrual of revenues of the State, together with a forecast as to the amount of revenues that may be expected to accrue during the next three months.

If any budget unit of the State, in the judgment of the budget commission, is spending the funds provided for its operation or maintenance for the current fiscal year, inefficiently, or is making expenditures that are unnecessary, ill advised, or unwise, it shall be the duty of the budget commission to execute a written authorization from time to time, placing such limitations upon any budget unit, or budget units, in the expenditures of the funds provided for its operation or maintenance, as it may deem proper, to the end that waste of public funds and overdrafts on the State Treasury will not occur in any budget unit of the State.

The written authorization provided for shall be signed by the chairman of the budget commission and one copy thereof delivered to the Auditor of Public Accounts, and another copy to the budget unit or budget units affected by said written authorization. The Auditor of Public Accounts shall have no power or authority to honor any voucher or certify any contract against any budget fund in excess of the limitations that may be placed on expenditures from a budget fund, or funds, by said written authorization.

§ 3. That Section 1992a-26, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed.

§ 4. The provisions of this act shall become effective on the first day of July, 1932.

§ 5. All acts or parts of acts in conflict herewith are hereby repealed.

By Senator Stephenson.

S. B. 415. An Act to amend and re-enact Section 112-1 of Carroll's Kentucky Statutes, 1930 Edition, in relation to the official duties of the Attorney General, Commonwealth's Attorneys and County Attorneys.

To Committee on Kentucky Statutes, No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 112-1 of Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended by adding thereto, immediately following the word "Commonwealth" and before the words "He shall institute all actions," etc., the following proviso, to-wit:

"Provided he may also appear and prosecute or defend any and all actions, proceedings and investigations wherein such is also made the duty of the Commonwealth's Attorney or County Attorney, if in his judgment it becomes necessary so to do; and in such event he shall have authority to conduct such litigation, proceedings and investigations as he may deem best for the interest of the Commonwealth. He shall have the right to call upon the Commonwealth's Attorneys to assist him in the Court of Appeals in briefing cases arising in their respective districts to which the Commonwealth is a

party, and, when so called upon, it shall be the duty of such Commonwealth's Attorney to render such assistance as the Attorney General may request."

So that when said section is so amended and re-enacted, the same shall read as follows, to-wit:

"The Attorney General shall be the chief law officer of the Commonwealth, and all its departments. The Attorney General shall appear for the Commonwealth in the trial and argument of all cases, civil and criminal, in the Kentucky Court of Appeals whenever the Commonwealth is directly or indirectly interested; he shall also appear in behalf of the Commonwealth in any court or tribunal in or out of this State in any case or proceeding in which the Commonwealth is a party in interest, except where it is made the duty of the Commonwealth's Attorney of County Attorney to represent the Commonwealth. Provided he may also appear and prosecute or defend any and all actions, proceedings and investigations wherein such is also made the duty of the Commonwealth's Attorney or County Attorney, if in his judgment it becomes necessary so to do; and in such event he shall have authority to conduct such litigation, proceedings and investigations as he may deem best for the interest of the Commonwealth. He shall have the right to call upon the Commonwealth's Attorneys to assist him in the Court of Appeals in briefing cases arising in their respective districts to which the Commonwealth is a party, and, when so called upon, it shall be the duty of such Commonwealth's Attorney to render such assistance as the Attorney General may request. He shall institute all actions and proceedings necessary to cause the payment of all judgments and demands of the Commonwealth, payable at the State Treasury, not discharged in the proper time. He shall, with assistance of the Auditor of Public Accounts, investigate the condition of all unsatisfied claims, demands, accounts, and judgments in favor of the Commonwealth, and shall take all necessary steps, by motion, action or otherwise, to collect or cause to be collected, such claims, demands, accounts and judgments, and paid into State Treasury.

By Senator Hamilton.

S. B. 416. An Act to give authority to the Board of Charities and Corrections or its successor to employ chiropractors in the charitable and penal institutions, to fix salaries and prescribe duties for same.

To Committee on Public Health.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Board of Charities and Corrections or its successor be and it is hereby authorized to employ regularly licensed and registered chiropractors to treat and care for patients in the charitable and penal institutions of this State; and any and all chiropractors so employed in any of the State charitable and penal institutions shall receive a salary equal to doctors of other schools of healing who are employed in such institutions.

§ 2. The Board may employ or authorize the employment and prescribe the duties of any chiropractor or chiropractors in any of the institutions under its control.

§ 3. All acts or parts of acts in conflict with this act are hereby repealed.

By Senator Ryans.

S. B. 417. An Act relating to motions to require circuit judges to vacate the bench because of disqualification in the trial of civil cases and criminal prosecutions, and providing for procedure on the disposition of such motions.

To Committee on Judiciary.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Upon the filing of an affidavit, in either a civil case or a crminal prosecution, accompanied with a motion for the judge of the circuit court in which the litigation is pending to vacate the bench because of alleged disqualification, it shall be lawful for the said judge to convert the affidavit and the grounds in support of such motions if the facts are such that he can do so, and upon the forming of such issue and immediately thereafter, the parties may agree upon a special judge to hear and determine the motion, or if they cannot agree, then a special judge may be designated and appointed as provided by law for the appointment of special circuit judges.

§ 2. If upon the trial of such motion the special judge so presiding should find from the evidence adduced that the alleged grounds for removal of the regular judge do not exist, or that they are insufficient in law to require him to vacate the bench, an order to that effect will be entered upon the record by the special judge and the trial shall then proceed before the regular judge as if no motion for him to vacate had been made.

§ 3. But if the special judge so agreed upon or designated to try the motion shall find and determine that the regular judge was disqualified, then he will enter an order to that effect and immediately set the cause for trial and to preside thereat as a special judge therein without further designation or commission.

§ 4. All laws or parts of laws in conflict with this act are hereby repealed.

By Senator Brock.

S. B. 418. An Act creating the offense of alarming, disturbing, hindering, obstructing or intimidating by violence,

force or threats, any officer of the Commonwealth of Kentucky in the matter of his official action or in the discharge of his duty or attempting so to do, and providing punishment therefor.

To Committee on Criminal Law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That it shall be unlawful for any person or persons individually or collectively by violence, force or threats to alarm, disturb, hinder, obstruct or intimidate any officer of the Commonwealth of Kentucky in the matter of his official action or in the discharge of his duty or to attempt so to do. Any person or persons violating any provision of this act shall be punished by confinement in the State penitentiary for not less than one (1) year nor more than twenty-one (21) years, or by a fine of not less than one hundred dollars ($100.00), nor more than ten thousand dollars ($10,000.00), or both such confinement and fine.

Senator Ryans proposed the following resolution:

SENATE RESOLUTION 37

Joint Resolution for payment to the Herald Post Company of Louisville, Ky., $792.83 for advertisements published on behalf of the Commonwealth of Kentucky, that

Whereas, the State of Kentucky is justifiably indebted to the Herald Post Company of Louisville, Ky., publishers of the Herald Post, in the sum of $792.83 for advertisements published in said paper between the dates of November 30, 1926, and January 6, 1927, and

Whereas, said claims have been properly presented to the auditor but have not been paid.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts be and he hereby is directed to draw his warrant upon the treasurer for the sum of $792.83 on behalf of the Herald Post Company for advertisements printed in the Herald Post on and between the dates as set out above.

To Committee on Appropriations.

By Senator Isaacs.

S. B. 419. An Act relating to tax levies of county school districts and amending Section 4399a-8 of Baldwin's 1930 Edition of Carroll's Kentucky Statutes.

To Committee on Kentucky Statutes, No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Section 4399a-8 of Baldwin's 1930 Edition of Carroll's Kentucky Statutes shall be amended by striking out "twenty-five cents (25c)" and substituting "five cents (5c)" therefor, and striking out "seventy-five cents (75c)" and substituting "sixty cents (60c)" therefor, so that the first paragraph of the section will read as follows:

It shall be the duty of the county tax commissioner of each county, upon blanks furnished to him by the State Tax Commission, in making the assessment for the county to show on each assessment the property subject to taxation under the provision of this act, and it shall be the duty of the county court clerk, after the tax commissioner has made out and completed the tax assessor's books of the county, to certify to the county superintendent the total assessed valuation of

property in the county subject to taxation under the provisions of this act.

Upon receipt of such certificate from the county court clerk, it shall be the duty of the county board of education each year to prepare subject to the rules and regulations of the State Board of Education and on and with the advice of the county superintendent an itemized and detailed school budget, showing the amount of money needed for supplementing teacher's salaries, for permanent improvements, repairs, furniture, old buildings, maintenance and support of schools during the succeeding school year and also the estimated total amount that will be received from the State and the amount that will be needed to be raised by local taxation, including the rate of levy necessary to raise such amount, which in no event shall be less than five cents (5c) nor more than sixty cents (60c) on each one hundred dollars ($100.00) worth of taxable property in the territory affected by this act. This annual school budget shall be submitted in writing to the county court clerk not less than ten days before the usual day for making the county levy, and it shall be the duty of the clerk of the county court to present it to the fiscal court when it convenes to make the annual county levy.

By Senator Isaacs.

S. B. 420. An Act to provide additional revenue for the common school funds of the Commonwealth of Kentucky.

To Committee on Kentucky Statutes, No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That, in addition to the taxes now levied and collected and hereafter levied and collected in this State for the support and maintenance of the common schools of this State,

there is hereby levied, and there shall hereafter be levied and collected, an ad valorem tax of tweny-five cents (25c) on each one hundred ($100.00) dollars of value of all real estate directed to be assessed for taxation as provided by law and upon each one hundred ($100.00) of value of all other property directed to be assessed for taxation as provided by law, except the amount of deposits in banks, trust companies or combined banks and trust companies organized under the laws of this State or in any national bank in this State as now provided by law, and, also, including building and loan associations incorporated under the laws of this State and making loans to members only, which association shall be assessed, except as otherwise provided by law, in the manner and at the rate now set forth in Chapter 14 of the Acts of the extraordinary session of the General Assembly of 1917, Sections 4019a-6, 4019a-7 and 4019a-8.

§ 2. All moneys derived from the collection of the taxes herein levied shall be applied to the payment of teachers in the common schools of this State and divided among the several counties in the State so that each county shall receive out of the total an amount in such proportions as the number of pupil children, white and colored, in each county bears to the whole number of pupil children, in the State, and the Auditor of Public Accounts, Superintendent of Public Instruction and other officers shall apportion and pay out said moneys to one required by law to do so as to school funds now collected.

§ 3. It appearing that the teachers of the State are underpaid and that it is necessary that they have immediate relief, an emergency is declared to exist, and this Act shall be and become a law and be in effect upon its passage and approval by the Governor.

Senator Ryans moved that the Senate recess until 1:30 o'clock P. M. and they go two and two to the House of Representatives to meet in Joint Session with the House to hear the Governor's message.

Roll call Joint Session.

Jas. H. Bondurant	Robert Humphreys	D. C. Naive
W. W. Booles	Wm. Isaacs	Marion F. Pogue
H. M. Brock	Silas Jacobs	Dr. G. W. Ragan
Edwin C. Dawson	L. C. Littrell	R. H. Royster
Dr. T. J. Edge	Frank I. Lloyd	E. D. Stephenson
Walter N. Flippin	Rev. C. D. McCaw	Joe Stewart
Chas. G. Franklin	C.T.McCormick,Sr.	Sewell B. Williams
Perry B. Gaines	Wm. Mehler	W. A. Yates
Arch Hamilton	E. C. Moore	Gates F. Young
J. S. W. Holloway	Ray B. Moss	—29

House of Representatives, Session 1932.

Frank B. Adcock	Kelly J. Francis	Steve Pieratt
V. H. Baird	Ferd A. Gnau	C. H. Powers
Levi Baker	C. O. Graves	Abraham Renick
A. J. Baldridge	E. L. Hagan	Dr. J. B. Robards
Fred Beshear	L. B. Hamilton	W. H. Sebastian
Dr. S.A.Blackburn	C. L. Hammons	Chas. Sexton
Joe F. Bosworth	Dr. E. C. Hardin	G. W. Shadoan
Perry R. Brown	Dr. A. L. Hill	Dr. B. F. Shields
Leer Buckley	Luther House	J. H. Short
Lee Clark	G. W. Howard	Bruce Sloan
Elmer Cook	T. M. Johnson	Denny P. Smith
Columbus Cooper	John B. Klefot	Dr. W. J. Smith
W. W. Cooper	Frank Lebus	G. C. Springate
O. M. Crewdson	Martin Light	T. B. Staggs
G. Cunningham	Hugh Mahin	Earl R. Stephens
Luther Deaton	H. R. Marquette	Raleigh L. Stevens
Tom Decker	Chas. Marshall	Elmore J. Thomas
Ed C. Dennington	Geo. R. McIntosh	C. A. VanLahr
James L. Dodge	Will McRohan	J. D. Via
Wliliam A. Eimer	John H. McWaters	L. M. Weathers
Harry W. Ennis	H. J. Meyers	G. W. Wigginton
Joe B. Everhart	G. M. Middleton	V. T. Willis
Leo Fentress	Joe Morgan	Dr. B. F. Wright
Dr. J. B. Floyd	R. E. Perkins	R. Vernon Yandell
E. M. Ford		—73

The Senate and House of Representatives in Joint Session assembled, received the following message from the Governor.

GOVERNOR'S MESSAGE

We are today face to face with a condition of fiscal affairs in our State that challenges our most painstaking and careful consideration.

Standing in the watch tower, as I do, by virtue of being Chief Executive of the State, it is my duty to warn you of the impending danger that is threatening the welfare of Kentucky and, to the best of my humble ability, to lead you into a haven of rest and security. This is my most sincere desire and, in discharging this duty, I shall not assume the role of a dictator but, instead, the attitude of a friendly adviser.

If you will follow my leading, I will gladly assume all responsibility, knowing full well that the consequences are mine; but if you shall refuse to heed my advice, then I want you, and the people of Kentucky as well, to know that any impairment of the State government in any of its functions rests upon your shoulder, and not upon mine.

Like heroes of old, let us meet our duty and discharge it, and not, like cringing cowards, slink away and leave our beloved Kentucky to suffer and bleed.

There have been some unjust and unfounded criticism of this administration by those who seek to tear down rather than to build up, because, as they falsely charge, those entrusted with the government of our State have no well-defined plan to offer for the alleviation of our financial troubles. These poisoned arrows, aimed directly at the heart, go wide of their mark and fall unnoticed at our feet.

We have a well-defined plan—one that is fair and just and honest, and one that will, if given life by legislative

enactment, make Kentucky one of the best governed states in the whole sisterhood of states.

I come before you today, after mature and conscientious deliberation, to define that plan to you, and to insist that you vitalize it by giving it your legislative approval. This plan is no patent nostrum prescribed by a quack physician to a sick patient, that will only add to his misery, but, instead, it is a compound cathartic that will cleanse the system and purify the life current of the body politic. The plan that I shall propose and insist upon is progressive in its nature; it is not an untried experiment, but is one that has been invoked in other states and in other countries to the delight and satisfaction of the taxpayers wherever it has been tried. The plan that I propose was born in the fertile brain of Adam Smith, perhaps the greatest political economist the world has ever known. When discussing it, he said of it that it was the fairest and most equitable revenue-producing law that could be enacted, as it was one that could be thinly spread out so as to rest equally upon the greatest number of taxpayers and that would not prove a burden to any particular class.

Kentucky's problem is to find a way to carry on. To accomplish this, we must bring to bear the supreme rest of our combined common sense.

There has been, due to shrinkage in taxable values for taxation purposes, a falling off in the available revenues to meet the current expenses of the State in about the sum of five millions of dollars for the present biennial period; but for the next biennial period, beginning July 1, 1934, the deficit will be greatly increased over what it will be for the ensuing two-year period from July 1, 1932.

To meet this crisis, we are confronted with two possible courses to pursue to solve it in the interest of good government for Kentucky.

First: We must cut the current expenses of the Govern-

ment of our State to the bleeding point in an effort to give to Kentucky an economical administration of her affairs.

With this end in view, your Budget Commission found it necessary to recommend a reduction in legislative appropriations for the maintenance of the various departments and agencies of your State government. These reductions will amount, in the aggregate, to something like the sum of two million, five hundred thousand dollars. This, gentlemen of the General Assembly, is a considerable saving to the taxpayers of the State, and is a wholesome piece of work upon the part of the Budget Commission.

Notwithstanding, however, this appreciable reduction on the part of the Budget Commission, I recommend, most earnestly, that when you come to enact Appropriation Law, that you will make a horizontal reduction of five per cent in all appropriations set forth in the Budget Act, except in the sum set apart for the support of the common schools of the State. The allowance to them, in my opinion, should not be reduced. When this is done, the Budget will still remain out of balance at least some four or five millions of dollars. This deficit, of necessity, must be met and provided for, if Kentucky is to have an efficient government and, at the same time, be made to live within her income; and unless this is done, the present indebtedness against the State will continue to increase and become a greater burden upon the taxpayers, or else the efficiency of our government will be impaired.

This emergency, and it is an emergency, must be met; and this is the greatest problem that confronts this administration.

Second: To provide the necessary revenues to properly administer the State Government, after the reduction to the lowest possible level of the amounts set apart to the various departments and agencies of the State, necessitates a readjustment of our tax-raising laws. This, in my opinion, is the only solution of the problem that faces us and that we are forced to solve. Then how shall we go about the task?

There is, in my honest opinion, after having given to this momentous question the best thought and study of which I am capable, only one safe, sane, scientific and just solution of it; and that is the enactment and putting in force a general sales tax law that will be properly safeguarded in its mode of execution. When such a law becomes effective, it will obviate the necessity of increasing the tax upon gasoline, and of placing a new tax upon electric energy, soft drinks, telephone messages and rents, gas, malt, amusement tickets, cosmetics, the transfer of shares of stock, manufactured tobaccoes, cigars and cigarettes, a tax upon oils and greases, and will likewise remove the necessity of lowering the brackets in the gross sales tax law that was passed by the last General Assembly.

These taxes, after all, are no more or less than a sales tax, and would affect practically all the people who will be subjected to the tax paid under the law that I propose. The Gross Sales Tax, imposed by the Act that I have had prepared, and want enacted, is a scientific tax law, while the tax law that has been proposed to pay taxes upon a few selected commodities, such as I have named, is like a crazy quilt, and is unscientific, and would prove exceedingly burdensome, and a hardship in most instances upon those who would be required to pay it and, besides, would be costly to administer

Under the gross sales tax plan that I favor, every commodity that I have named will be subject to the tax and will bear its part of the burden of the government of the State.

The legality of a gross sales tax law, such as I am fostering, has been upheld in the courts of various states, and can not be questioned. This is not true of any other tax-raising measure that has been introduced in the House of Representatives; or that I have heard spoken of or proposed for passage as a revenue-producing measure. The legality of the law, is in my opinion, one of the potential reasons why it should be enacted.

It is an emergency measure, intended to meet the present

deficit in State funds for the ensuing biennial period; and I am only asking that it be passed as such and to remain in force for only two years from its effective date. If it is not a satisfactory law to the taxpayers, it will automatically cease to function unless re-enacted by the next General Assembly.

Although you may consider it an experiment, still you should give it a trial for the reason that it will supply the needed revenues to meet the already existing deficit, something which can be accomplished in no other way with certainty.

Under the proposed gross sales tax, no tax will be due or paid, except where the sale is made for cash; or if made upon open account, when the account is paid in money or other valuable consideration, or is secured by note, mortgage or pledge. This tax will apply only to sales made at retail, and does not attach to sales made for the purpose of re-sale, or to the sale of raw materials to be used in manufacture, or conversion into tangible personal property for the purpose of sale; or to the sale of farm products by the purchasers thereof. It does not apply to the purchase of newspapers or of space therein, or to sales of property or services upon which there is now, or may be levied, a tax; or to salaries of services of laborers and professional services and salaries; or to transportation of persons or property, and does not apply to sales of coal unless sold in less than carload lots.

The rate of taxation as fixed under the proposed law is two per cent, and it should not be less than that rate, for the protection of the small merchant and for the very potent reason that any less rate will not yield sufficient revenue to meet the requirements of the Government, even though economically administered.

Under a sales tax the person who buys fixes the amount of the tax that he or she is to pay for the support of government. If limited in means, but little should be spent; if more fortunate, then more could be used in buying; so the matter

rests at last in the hands of the buyer as to the sum that will be contributed in taxes for the maintenance of government.

Some form of taxation must be invoked, or governments cannot exist; and taxes are something that touches every individual in the State or nation, and must be paid by virtue of the provisions of some revenue-raising law. It will not be questioned that it is the duty of every citizen to contribute his part for the support of the government under which he lives —this is one of the citizen's first duties—and its support should be contributed to by all who are benefitted by it, not, however, in proportion to the favors received, but instead in proportion to the ability to meet the obligation.

I stand unalterably in favor of a sales tax law, because it is eminently just and fair. In defense of my position I appropriate a borrowed argument in its favor.

"Now, then—why a sales tax? It taxes spending, not earning. It taxes extravagance, not economy. It is equitable to everyone. It works a hardship on no one. It is easy to pay and easy to collect. It does not confiscate. It does not upset business. You are never in debt to the government. You pay in infinitesimal installments. Nobody can evade it. There are no exemptions, no escape into tax-free securities. It does away with prying and spying. It is just, and fair, and reasonable, and the most economical method for the Government."

If you enact a gross sales tax law, then as a companion measure to it, you should also pass an act amending Section 4019 of the Kentucky Statutes, thereby reducing the tax rate on real estate to ten cents upon each one hundred dollars in value, and also reducing the tax rate upon tangible personal property to twenty-five cents on assessed valuation.

By thus amending this law there will be a reduction of 66 2/3 per cent in taxes for State purposes upon all real estate, and a reduction of fifty per cent in taxes, for like purposes,

upon all tangible personal property now subject to taxation under the laws of Kentucky. Such a reduction will result in a great saving to every land owner, and to the owners of stocks of merchandise and other tangible personal property throughout the State.

The saving to the taxpayers that will be effected by this amendment will amount, in most instances, to a greater sum than will be called upon to pay under the gross sales tax law that I am so insistently urging you to enact. When you consider this fact, you can readily understand why it is that a gross sales tax law will not prove burdensome to the taxpayers of Kentucky. Any tax law is sound that is based upon spending and not upon saving.

As I have said before, a sales tax is not an untried experiment. It is now in force in many foreign countries and in some of the States of our own country; and wherever it has been resorted to, it has been a great success—so much so that the taxpayers are satisfied with it and resent its repeal.

I am also proposing an amendment to the Constitution of Kentucky (Section 172 thereof) giving to the General Assembly the power to exempt real estate and tangible personal property from all taxation or State purposes. I am insisting upon this amendment being submitted to the people of Kentucky for their approval.

If you will enact into law these three measures that I have proposed, and will pass other bills now pending before you, limiting the expenditures of the departments of government to the budget appropriations, I promise you that I will fulfill every promise made to the people of Kentucky in my pre-election campaign for the high office of Governor.

There are some other laws, besides the ones to which I have specifically referred, that I am equally anxious that you should place upon the statute books. For lack of time, I will content myself by simply referring to them, as I can not, in justice to you, discuss them in detail on this occasion.

I favor a law placing the State Geological Survey under the supervision of the University of Kentucky, and have had prepared for submission to you a bill embracing my ideas regarding this important change.

I believe that a law should be enacted that will reasonably regulate motor transportation in our State. This should be done for the protection of shippers, the public highways, and citizens traveling upon them. Such law would be wholesome and will receive the endorsement of the people of the State.

I favor a law creating an Utilities Commission, and providing for a reasonable regulation for all public utilities that render service to the public. The expenses of such a commission should be borne by the utility companies regulated by it, and should be appointed by the Governor.

I also favor the enactment of a probation law, giving to some officer or tribunal of the State the right to place certain offenders upon probation. Such a law, if properly executed, is a humanitarian measure, and would result in a great saving to the State. This law should be carefully prepared, and should be passed in obedience to the demands of the people.

I favor the enactment of the act relating to the Board of Charities and Corrections, as it was amended and passed by the Senate, and that is now before the House for its concurrence. A Board of Charities and Corrections composed of men and women who have the interest of the Charitable and Penal Institutions at heart, and who will make a study of their management, will result in an immense saving to the taxpayers of Kentucky. I believe that this Board should be reduced in number to five; that the members should be paid for their services, and required to devote their time and attention to the duties imposed upon them by law. If this were the law, the saving would be many, many times greater than the cost of administering it.

I favor the concurrence of the House in the enactment of the Yates bill, relating to the Tax Commission. This bill, in

my opinion, should be passed by the House without amendments, and I most respectfully insist that this be done. This law, if passed as originally drawn, will be to the best interest of the people of the State, and will result in a saving to the taxpayers thereof.

There will be offered to you for passage an act amending the present law relating to the assessment of real property for taxation. If this proposed act becomes law, the assessment of real estate will be made once every four years instead of being made annually as is now done under the existing law. It will also take away from the Tax Commission the right to place blanket raises upon the assessed valuations of property for taxation in the counties of the State. This law will be a remedial measure and will result in a tremendous saving to the taxpayers.

There are a number of bills that have been introduced, seeking to combine various boards and commissions, that are performing overlapping or similar duties in our government. These have my unqualified endorsement, and I most earnestly insist upon their being enacted into law.

I favor the redistricting of the State, pursuant to the Re-Organization Act of Congress, and believe that it should be done by this General Assembly. I shall have something to say to you later upon this subject.

The people of Kentucky were solemnly promised that if we were elected, Kentucky would live within her income. So far as I am concerned, this promise will be scrupulously kept at all hazards. It may require heroic measures, but the promise must be kept. It may necessitate the closing down of some departments of State Government, the shortening of the terms of our State-supported colleges and universities, and the emptying of the penitentiaries. The end will justify the means, and I intend to keep the promise made to the people; and Kentucky must live within its income. To this end I feel justified in saying to you that I will not sign any appropriation act that

may be passed until the budget for the ensuing biennial period is balanced; and that I will not, in justice to the tax payers of Kentucky, call an extra session of the General Assembly for any purpose whatsoever. We can accomplish what we set out to do, and what the people of Kentucky are expecting us to do, if we will but apply our energies to this task.

After having heard the message of the Governor, Senator Barkley addressed the Joint Session of the General Assembly.

Senator Brock moved that the Joint Session dissolve.

Said motion was agreed to.

The Senate reconvened at 1:30 o'clock P. M.

Senator Allie W. Young of the Committee on Kentucky Statutes No. 1, to which had been referred a bill of the following title:

H. B. 279. An Act to repeal and re-enact Chapter 76 of the Acts of one thousand nine hundred and thirty entitled, "An Act regulating the transportaion by motor vehicles of all officers and employees of the State of Kentucky, excepting the governor and lieutenant-governor and providing for the payment of the traveling expenses by motor vehicles of all officers and employees of the State of Kentucky, and providing for the future use and sale of all motor passenger vehicles now owned by the State of Kentucky and repealing all laws and parts of laws provided for the purchase of motor passenager vehicles for use of State officers and employees excepting the governor and lieutenant governor, providing a penalty for a violation thereof and declaring an emergency to exist," and providing for the purchase and operation of motor passenger vehicles for the use of the State Highway Commission of Kentucky and the employees thereof, and declaring an emergency to exist.

Reported with expression of opinion that same ought to pass.

Senator Rogers of the Committee on Education, to which had been referred a bill of the following title:

S. B. 292. An Act setting out the qualifications of members of boards of education in the Commonwealth of Kentucky.

Reported with expression of opinion that same ought to pass.

Senator Allie W. Young of the Committee on Kentucky Statutes, No. 1, to which had been referred a bill of the following title:

H. B. 270. An Act to amend and re-enact Chapter 19 of the Acts of 1920, approved by the Governor, March 16, 1920, Entitled "An Act imposing a license tax on Race Tracks at which races are run for purses or prizes under the jurisdiction of the Kentucky State Racing Commission and which license tax is in lieu of all other license, income, excise, special or franchise tax of the State of Kentucky, or any county, city, town, municipality or other political subdivision thereof."

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

S. B. 400. An Act to provide for the appointment of a County Superintendent of Schools in counties containing cities of the first or second classes, and describing his term of office, qualifications, duties and salary, and repealing all laws or parts of laws in conflict herewith.

Reported with expression of opinion that same ought to pass.

CALENDAR

Senator Gates F. Young moved that the second reading of bills and resolutions at length be dispensed with and that they be read by their titles only.

Said motion was agreed to by a majority of the members elected.

It was ordered that the bills and resolutions be read by their titles only, and placed in Orders of Day.

Said titles to bill are as follows:

S. B. 329. An Act to repeal and re-enact Section 1843 of Kentucky Statutes, Carroll's 1930 Edition, relating to compensation of members of Fiscal Courts.

S. B. 303. An Act relating to licensing or taxing of vehicles in cities of this Commonwealth, of the second, third, fourth, fifth and sixth classes used or let for hire, and used by farmers and manufacturers of farm products and delivered by vehicles not for hire in cities of the second, third, fourth, fifth or sixth classes.

S. B. 102. An Act to further amend an act entitled, "An Act for the government of cities of second class in the Commonwealth of Kentucky" which was approved March 19, 1894, and thereafter in due course became a law and as same has since been amended, all of which said act and amendments now appear as Article 3 of Chapter 89, Kentucky Statutes.

H. Res. 44. Resolution directing the Governor to reclaim October 11th of each year "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brigadier-General Casimir Pulaski.

H. Res. 15. Resolution providing for the purchase of copies of the Legislative Digest for the members of the General Assembly and State and other public officials.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 92. An Act providing for the licensing of drivers of motor vehicles upon the highways of this Commonwealth, providing for the issuing and revocation of same, the recording of motor vehicle offenses, fixing the amount of said license, and providing penalties for violations.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. On and after the first day of October, 1932, no person shall drive or operate a motor vehicle upon any highways of this Commonwealth unless such person shall have obtained a driver's license as hereinafter provided.

A motor vehicle as used in this Act shall include all vehicles that are propelled otherwise than by muscular power, except road rollers, road machinery or any farm tractor or implement of husbandry and such vehicles as travel exclusively on rails.

§ 2. Said license shall be issued by the State Tax Commission, or whoever now or hereafter issues automobile licenses, through the County Clerk of the county in which the applicant resides.

§ 3. Before said license shall be issued, said applicant shall be required to swear to an application on blanks furnished by the State Tax Commission that he is sixteen years of age or older, sober and discreet, and able physically and mentally to operate a motor vehicle. In said application shall be inserted the applicant's name, sex, residence, occupation, approximate height and weight, and previous experience in operating motor vehicles.

§ 4. Upon swearing to such application, the County

Clerk shall issue to said applicant a card of convenient size, and on one side of this card shall appear applicant's name sex, residence, weight and height, and a blank line for the signature of applicant, which signature shall be written in the presence of the Clerk. The other side of the card shall contain blank lines for inserting by the Clerk of any Court any record of any conviction of the applicant for violation of the motor vehicle laws.

§ 5. An instruction permit shall be issued to any person over the age of sixteen years on an application of a temporary instruction permit, and such permit shall entitle the applicant, while having such permit in his immediate possession, to drive a motor vehicle upon the highways for a period of sixty days when accompanied by a duly licensed driver who is actually occupying a seat beside the driver and there is no other person in the vehicle.

§ 6. Licensees shall be required to carry said card at all times and present same when called upon by any law enforcing officer or any person with whom said licensee may have had an accident.

§ 7. Said license shall be permanent unless suspended or revoked as hereinafter provided.

§ 8. Licensees shall pay for the issuing of said license, including the swearing to the application, the sum of fifty cents. The County Clerk shall retain thirty cents as his fee, and shall remit twenty cents to the State Tax Commission to be used for the furnishing of material and for the carrying out of this Act.

§ 9. Any license so granted may be revoked or suspended after an open trial with due notice to the licensee whenever in the judgment of the Judge of the County Court, the licensee has shown himself unfit, physically or mentally, to operate a motor vehicle upon the highways of this Commonwealth, or whenever in the judgment of the Judge of the

County Court the licensee has violated the motor vehicle law or laws of this Commonwealth, so that in the opinion of said judge, said licensee is unfit to operate a motor vehicle. It shall be within the discretion of said County Judge whether the revocation shall be permanent or whether it shall be a suspension of said license for a certain given time. An appeal from the rulings and decisions of said County Judge may be had to the Circuit Court.

§ 10. In the event a license has been permanently revoked or suspended for a period longer than one year, such person with a revoked or suspended license may, after a period of one year, apply to the Judge of the County Court, in which said licensee was suspended or revoked, for reinstatement, and the procedure shall be the same as in Section 9 of this Act.

§ 11. Non-resident drivers who have complied with the driver's license law in their own State shall be exempt from the provisions of this law for the same length of time that is granted to non-residents of their State. Non-resident drivers from States that do not have a driver's license law shall be exempt from the provisions of this law for a period of thirty days in any one calendar year.

§ 12. If said license card is lost or mutilated, the licensee may obtain a duplicate upon the payment to the County Clerk of the sum of twenty-five cents. Before issuing said duplicate card, said clerk shall insert on the card all offenses that have been recorded against such licensee.

§ 13. No person, firm or corporation owning or having the custody of a motor vehicle shall allow or permit same to be operated upon the public highways of this Commonwealth by any person who has not complied with all of the provisions of this Act.

§ 14. It shall be the duty of the County Clerks to keep a docket for the recording of every conviction under the motor

vehicle laws of this Commonwealth, and on and after October 1, 1932, it shall be the duty of any court in which a conviction has been had for the violation of any motor vehicle laws of Kentucky, to notify the County Clerk of said conviction in the county in which the license was issued. All said notices shall be kept on the docket of said County Clerk. Notice of all such convictions shall be sent to the State Tax Commission who shall keep a permanent record of same.

§ 15. It shall be the duty of the State Tax Commission or any officer to whom like duties may be conferred by law, to furnish all necessary blanks and cards used, and do all things necessary to the administration of this Act.

§ 16. Any person violating any of the provisions of Sections one, two, three, four, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen and fifteen shall be deemed guilty of a misdemeanor, and upon conviction be fined not more than One Hundred Dollars or by confinement in the county jail for a period of not more than thirty days.

§ 17. The provisions of this Act are severable, and if any of its provisions shall be held unconstitutional or invalid, such provision shall not affect or impair the remainder of the Act, and the decisions of the courts shall not affect or impair the remaining provisions of this Act. It is hereby declared a legislative intent that this Act would have been adopted had any unconstitutional provisions not been included herein.

§ 18. All laws and acts of the General Assembly inconsistent herewith are hereby repealed.

Senator Jacobs proposed the following amendment to said bill:

"Amend Senate Bill No. 92 by striking therefrom Section No. 4, and inserting in lieu thereof the following, viz.: 'The license issued hereunder shall be three metal discs, each of which shall bear the name, post office address and serial num-

ber of the licensee. Said discs shall have attached thereto permanent metal chains and fasteners and shall at all times be worn upon the person of the licensee, one of which shall be worn around the neck, one around the left wrist and one about the right ankle.

Senator Jacobs moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative.

Said amendment was adopted.

Senator Johnson proposed the following amendment to said bill:

"Amend Senate Bill No. 92 by striking out the number 6 on page 4, line 2 of Section 16 of the printed bill and inserting in lieu thereof the number 5. And by adding Section 17A of the printed bill as follows: 'Section 17A. This Act shall not apply to operators of vehicles operated for hire for the transportation of persons between fixed termini or over a regular route.' "

Senator Johnson moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative.

Said amendment was adopted.

Senator Moore moved that Amendment No. 2 to S. B. 92 be laid on the table.

The yeas and nays being required thereon by Senators Gates F. Young and Johnson resulted as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Thos. C. Ferguson	L. C. Littrell
Edwin C. Dawson	Silas Jacobs	Frank I. Lloyd

C.T.McCormick,Sr.	Dr. G. W. Ragan	Thos. O. Turner
E. C. Moore	O. M. Rogers	Fred C. VanHoose
D. C. Naive	J. M. Rose	Sewell B. Williams

—15

Those who voted in the negative were:

W. W. Booles	J. S. W. Holloway	R. H. Royster
H. M. Brock	Robert Humphreys	Dr. Lewis Ryans
Dr. T. J. Edge	Alex E. Johnson	E. D. Stephenson
Walter N. Flippin	Rev. C. D. McCaw	Joe Stewart
Chas. G. Franklin	Wm. Mehler	Allie W. Young
Perry B. Gaines	Ray B. Moss	Gates F. Young
Arch Hamilton	Marion F. Pogue	

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Therefore the motion to table said amendment was lost.

Senator Ryans moved that said bill be laid on the table.

The question being taken thereon was decided in the affirmative

Therefore said bill was laid on the table.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and further providing for definitions of terms, used, enforcement of and penalty for violation of this act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 154. An Act authorizing cities of the fourth and fifth classes to provide insurance or maintenance for arresting officers, who may sustain injury, in discharge of official duty, which incapacitates such officer; and support for widows and orphans of such officers who lose their lives in discharge of official duty, and provide funds and taxes therefor, and procedure for securing same and determining amounts to be paid; and for trials, and appeals concerning same.

Senator Moss moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 179. An Act enabling cities of the Third Class to acquire, construct, operate and maintain electric light, heat, and power plants and to issue revenue bonds of such cities to pay the cost thereof, payable solely from the revenues of such works without the incurrence of indebtedness of said cities.

Senator Gates F. Young moved that said bill be passed and hold its place in the Order of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 116. An Act to amend and re-enact Sections 4645a-3 and 4645a-4 Carroll's Kentucky Statutes, 1930 Edition relating to stenographic reporters in circuit courts not in continuous session and fixing and providing for payment of fees of said stenographers in circuit courts not in continuous session.

Senator Jacobs moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 355. An Act repealing and re-enacting Chapter 107 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1926 session, same being Sections 165-1 to 165-8, inclusive, of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, and also repealing and re-enacting Chapter 11 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1930, same being Sections 165-9 to 165-24, inclusive, Baldwin's 1931 Kentucky Statute Service, Carroll's Kentucky Statutes. Said acts hereby repealed relate to the creation of an Air Board for Kentucky; provide the number, qualifications, term, powers and other matters relating to said Board; provide for the creation of airports, buildings and facilities; provide for the licensing and registration of air men and air crafts; authorizing the members of said Board to employ the necessary personnel and to empower the air Board to enforce laws relating to aviation.

Senator Ferguson moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of three hundred dollars or less, secured or unsecured, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest, discount, consideration, or charge than six per centum per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or sal-

aries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars or less, providing for the administration of this act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and findings of the banking commissioner under this act, and repealing so much of Section 4224A, Carroll's Kentucky Statutes, 1930, as applies to persons licensed under this act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes, 1930, and repealing all acts and parts of acts in conflict with the provisions of this act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 1. An Act authorizing, regulating and governing the transportation for hire of persons and property by motor vehicles on public highways; giving the Railroad Commission of Kentucky certain powers with respect thereto; providing for the payment of fees and for the payment of taxes giving the State Tax Commission certain powers in connection therewith; prescribing punishment and penalties; and repealing all laws in conflict herewith.

Senator Allie W. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 101. An Act to further regulate motor trucks, semi-trailer trucks, semi-trailers, and trailers, to enlarge the

powers of the State Highway Commission, county courts, and cities and incorporated towns in respect thereof, to provide for enforcement of the act and penalties for violations thereof, and repealing all laws inconsistent therewith.

Senator Allie W. Young moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 36. An Act relating to the licensing of the business or occupation of contracting painting or decorating, in cities of the first and second class and requiring such contracting painter or decorator to obtain permits from said city and making it the duty of said city to issue permits before doing any painting or decorating and providing penalties for the violation of said act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 176. An Act to repeal Chapter 36 of the Acts of the General Assembly of the Commonwealth of Kentucky of one thousand nine hundred and thirty entitled "An Act relating to education in this Commonwealth and appropriating money from the general fund of the treasury of the Commonwealth to be used for education purposes in connection with the public school system of this Commonwealth and conferring authority and power upon the State Board of Education to supervise and administer the expenditure of money so appropriated, defining the purpose for which the money so appropriated shall be used, and providing conditions upon which

it shall be received, and generally to provide for a more efficient system of public schools in this Commonwealth.

Senator Gaines moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 22. An Act to make June 3rd Confederate Memorial Day, a legal holiday.

Senator Holloway moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 298. An Act to amend Section 9 of Chapter 64 of the Acts of the General Assembly of the Commonwealth of Kentucky 1924, entitled, "An Act relating to registration for elections in cities and towns having a population of five thousand inhabitants or more" approved March 21, 1924.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 143. An Act relating to issuing bonds by counties, having cities of the second class therein and by cities of the second class and school boards of cities of the second class in the Commonwealth of Kentucky and prohibiting the issuing

of bonds for any purpose whatsoever by cities, school boards in second class cities and by counties having cities of the second class therein except old bonds for the new, without first submitting the question of issuing the bonds to voters at a regular election held for State and County and City officers and receiving the affirmative vote of 2/3 of the voters voting in said election.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 309. An Act creating a District Detective, in certain Judicial Districts of this Commonwealth and fixing his duties, etc.

Senator Brock moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 18. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing for employment of citizens of Kentucky on public works; and further providing for definition of terms used, enforcement of and penalty for violation of this act.

Senator Lloyd moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of

the Day a bill which originated in the Senate of the following title:

S. B. 135. An Act to amend and re-enact Section 2 of Section 606 of Carroll's Kentucky Civil Code of Practice.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2 of Section 606 of Carroll's Kentucky Civil Code of Practice be, and the same hereby is, amended and re-enacted so that the same, when amended and re-enacted, shall read as follows, to-wit:

2. (Infant—lunatic or dead person—when party may testify against.) Subject to the provisions of subsection 7 of this section, no person, shall testify for himself concerning any verbal statement of, or any transaction with, or any act done or omitted to be done by an infant under fourteen years of age, or by one who is of unsound mind or dead when the testimony is offered to be given except for the purpose, and to the extent, of affecting one who is living, and who, when over fourteen years of age and of sound mind, heard such statement, or was present when such transaction took place, or when such act was done or omitted, unless—

a. (Infant—provision as to.) The infant or his guardian shall have testified against such person, with reference to such statement, transaction or act, or an adverse party shall have introduced evidence with reference to such statement, transaction or act; or,

b. (Person of unsound mind.) The person of unsound mind shall, when of sound mind, have testified against such person, with reference thereto, or an adverse party shall have introduced evidence with reference to such statement, transaction or act; or

c. (Decedent—provision as to.) The decedent, or a representative of, or someone interested in, his estate, shall have testified against such person, with reference thereto, or an adverse party shall have introduced evidence with reference to such statement, transaction or act; or

d. (Agent of decedent or person of unsound mind.) An agent of the decedent person of unsound mind, with reference to such act or transaction, shall have testified against such person, with reference thereto, or be living when such person offers to testify, with reference thereto.

§ 2. Owing to the fact that injustice results from the application of the law as it now stands, and there are numerous suits pending in the courts of this Commonwealth in which such application will result in grave injustice, an emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval as required by law.

Ordered that said bill be read the third time.

Senator Franklin moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Walter N. Flippir
W. W. Booles	Dr. T. J. Edge	Chas. G. Franklin

Robert Humphreys	D. C. Naive	Dr. Lewis Ryans
Wm. Isaacs	Marion F. Pogue	Joe Stewart
Rev. C. D. McClaw	Dr. G. W. Ragan	Thos. O. Turner
Wm. Mehler	J. M. Rose	Gates F. Young
Ray B. Moss	R. H. Royster	—20

Those who voted in the negative were:

Silas Jacobs —1

Resolved that the title thereof be as aforesaid.

Senator Franklin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 381. An Act to repeal, amend and re-enact Section 1077b-1, of Carroll's Kentucky Statutes, Baldwin's 1930 Revision, being Chapter 42, page 155 of an Act of March 27, 1926, relating to the appointment of a Trial Commissioner in the County Courts of Counties of this Commonwealth wherein is located a city of the first class, defining his duties and fixing his qualifications, term of office and salary.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1077b-1 of Carroll's Kentucky Statutes, Baldwin's 1930 Revision be, and it is, hereby repealed, amended and re-enacted so that said section when amended and re-enacted shall read as follows:

"Section 1077b-1. The Judge of the County Court, in

each county of this Commonwealth wherein is located a city of the first class is hereby authorized to appoint two trial commissioners who shall hold office at the pleasure of the Judge, and shall discharge such duties in the county and quarterly courts of said counties as may be assigned to them by the judge of said courts.

Said commissioners each shall report his respective finding and recommendations in any matters referred to such commissioner to the judge of the court referring the matter, and upon the approval or disapproval of said judge the order of the judge shall become the action, order or judgment of said court in which the matter is pending.

Each of said commissioners must possess the qualifications of a judge of the county court, and each shall receive a salary to be fixed by the fiscal court of the county, not exceeding thirty-six hundred dollars ($3,600.0) per annum, which salaries shall be paid in the same way as the county judge is paid."

Ordered that said bill be read the third time.

Senator Ryans moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Marion F. Pogue
W. W. Booles	Silas Jacobs	Dr. G. W. Ragan
H. M. Brock	Alex E. Johnson	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Walter N. Flippin	C.T.McCormick,Sr.	Joe Stewart
Perry B. Gaines	Wm. Mehler	Thos. O. Turner
J. S. W. Holloway	Ray B. Moss	Sewell B. Williams
Robert Humphreys	D. C. Naive	W. A. Yates

—27

Resolved that the title thereof be as aforesaid.

Senator Ryans moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour of 2:15 o'clock P. M., having arrived, H. B. 162 of the following title was taken up.

H. B. 162. An Act in relation to the Kentucky State Board of Dental Examiners and to regulate the practice of Dentistry in the State of Kentucky.

A special order for this hour, was taken up for further consideration, having been passed on February 18th and on February 19th, the vote by which said bill was passed was reconsidered, and was now taken up, and the following amendments proposed thereto:

By Senator Moore.

Amend House Bill No. 162 by adding at end of line 15 in Section 11 of said bill the following words: "Provided that nothing in this act shall prevent any person from operating an X-Ray under the direction or supervision of a regularly licensed dentist, physician or surgeon."

Senator Moore moved the adoption of said amendment.

Senator Rogers moved that the above amendment be laid on the table.

The yeas and nays being required thereon by Senators Humphreys and McCormick, resulted as follows:

Those who voted in the affirmative were:

Wm. Isaacs	Rev. C. D. McCaw	J. M. Rose
Silas Jacobs	E. C. Moore	Thos. O. Turner
L. C. Littrell	O. M. Rogers	—8

Those who voted in the negative were:

Jas. H. Bondurant	Robert Humphreys	Dr. G. W. Ragan
W. W. Booles	Alex E. Johnson	R. H. Royster
H. M. Brock	Frank I. Lloyd	Dr. Lewis Ryans
Dr. T. J. Edge	C.T.McCormick,Sr.	E. D. Stephenson
Thos. C. Ferguson	Wm. Mehler	Fred C. VanHoose
Chas. G. Franklin	Ray B. Moss	W. A. Yates
Perry B. Gaines	D. C. Naive	Allie W. Young
J. S. W. Holloway	Marion F. Pogue	Gates F. Young
		—24

Therefore said motion was lost.

The question being taken on the adoption of said Amendment and the yeas and nays being required thereon by Senators Humphreys and McCormick, resulted as follows, viz.:

Those who voted in the affirmative were:

Edwin C. Dawson	L. C. Littrell	E. D. Stephenson
Dr. T. J. Edge	Rev. C. D. McCaw	Thos. O. Turner
Walter N. Flippin	E. C. Moore	Fred C. VanHoose
Wm. Isaacs	O. M. Rogers	Sewell B. Williams
Silas Jacobs	J. M. Rose	—14

Those who voted in the negative were:

Jas. H. Bondurant	Robert Humphreys	Marion F. Pogue
W. W. Booles	Alex E. Johnson	Dr. G. W. Ragan
H. M. Brock	Frank I. Lloyd	R. H. Royster
Thos. C. Ferguson	C.T.McCormick,Sr.	Dr. Lewis Ryans
Chas. G. Franklin	Wm. Mehler	W. A. Yates
Perry B. Gaines	Ray B. Moss	Allie W. Young
J. S. W. Holloway	D. C. Naive	Gates F. Young

—21

Therefore said amendment was lost.

The following amendment was proposed by Senator Holloway.

Amend H. B. No. 162 by striking in Section 9, line 4, the words "Three Dollars" and insert in lieu thereof the words, "One Dollar."

Senator Holloway moved the adoption of said amendment.

The yeas and nays being required thereon by Senators Humphries and Ryans resulted as follows:

Those who voted in the affirmative were:

Walter N. Flippin	Wm. Isaacs	E. C. Moore
J. S. W. Holloway	Silas Jacobs	J. M. Rose

—6

Those who voted in the negative were:

Jas. H. Bondurant	L. C. Littrell	O. M. Rogers
W. W. Booles	Frank I. Lloyd	R. H. Royster
H. M. Brock	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Chas. G. Franklin	Wm. Mehler	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	W. A. Yates
Robert Humphreys	Marion F. Pogue	Allie W. Young
Alex E. Johnson	Dr. G. W. Ragan	Gates F. Young

—27

Said amendment was rejected.

By Senator Jacobs.

Amend House Bill No. 162 by striking therefrom "Section No. 18."

Amend House Bill No. 162 by striking therefrom "Section No. 11."

The question being taken thereon, was decided in the negative.

Said amendments were rejected.

Senator McCormick moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Chas. G. Franklin	L. C. Littrell
W. W. Booles	Perry B. Gaines	Frank I. Lloyd
H. M. Brock	Arch Hamilton	Rev. C. D. McCaw
Edwin C. Dawson	J. S. W. Holloway	C.T.McCormick,Sr.
Thos. C. Ferguson	Robert Humphreys	Wm. Mehler
Walter N. Flippin	Alex E. Johnson	Ray B. Moss

D. C. Naive	R. H. Royster	W. A. Yates
Marion F. Pogue	Dr. Lewis Ryans	Allie W. Young
Dr. G. W. Ragan	E. D. Stephenson	Gates F. Young
O. M. Rogers		—28

Those who voted in the negative were:

Wm. Isaacs	E. C. Moore	Thos. O. Turner
Silas Jacobs	J. M. Rose	—5

Resolved that the title thereof be as aforesaid.

Senator Humphreys moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour of 2:30 o'clock P. M., having arrived, the Senate took up for consideration the special order for this hour, a bill of the following title:

S. B. 354. An Act to amend and re-enact Chapter 41 of Carroll's Kentucky Statutes in so far as said action applies to Counties containing cities of first class, providing for the adoption of voting machines, providing for the rules and regulations governing the use of said machines.

The Committee on Suffrage and Elections proposed the following amendment thereto by the way of a substitute therefor to said bill.

Said substitute reads as follows:

An Act to amend and re-enact Chapter 41 of Carroll's Kentucky Statutes in so far as said action applies to counties containing cities of first class, providing for the adoption of voting machines, providing for the rules and regulations governing the use of said machines.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 41 of Carroll's Kentucky Statutes, 1930 Edition, relating to elections be amended so that the provisions of said chapter as to the furnishing of ballots and the manner of voting, tabulating and returns of the votes shall not apply to counties in this State adopting machines for voting.

The Fiscal Court or county commissioners of any county in this Commonwealth, in place of the present manner of supply ballot boxes, ballots and the present method of voting, may adopt voting machines for legal use for any and all primary and general elections held in said counties. The Board of Commissioners or the Fiscal Court shall be, and they are hereby authorized to adopt such voting machines as in their opinion are best adapted for the purpose of using in connection with the conduct of said primaries and elections, and they are authorized and empowered to take such steps as are necessary for the purchase of said machines and other paraphernalia in the operation thereof; the cost of which shall be paid by the county as other claims.

The Board of Election Commissioners of any county that shall adopt machines for voting is hereby authorized and empowered to adopt such rules and regulations to govern the use of such machines, the manner of counting and certifying such voting as they shall deem necessary, provided such rules do not conflict with the laws of this Commonwealth in relation to the secrecy of said ballot and the conduct of said elections. The said primary or election, if machines are adopted in any county of this Commonwealth, shall be conducted, in the same manner as other elections are conducted, and the Board of Election Commissioners in any such county are hereby authorized to adopt any additional rules not covered in the general election laws of this State that are necessary to comply with the provisions of this act.

Any person or officer violating the provisions of this act

shall be punishable as now provided in the primary of general election laws of this State.

All laws or parts of laws in conflict with this act are hereby repealed.

Senator Hamilton moved that said substitute be adopted.

The question being taken thereon, was decided in the affirmative.

Therefore, said substitute was adopted.

Senator Lloyd moved that said bill be laid upon the table.

The question being taken thereon, was decided in the affirmative by a majority of the members elected.

Therefore, said bill was laid on the table.

A message was received from the House of Representatives announcing that they had passed a bill of the following title:

S. B. 253. An Act relating to elections.

With the following amendments thereto:

Amend S. B. No. 253 by adding to Section 5, after the word "required," the words as follows: "Except that students of colleges or universities in such cities or towns shall be entitled to register and vote upon expression of intention to establish residence in such cities or towns."

Senator Gates F. Young moved that the Senate concur in the House Amendment.

The question being taken on the concurrence, was decided in the affirmative.

Therefore, said amendment was concurred in by the Senate, and passed.

The yeas and nays being taken on the passage of said bill as amended in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	Dr. G. W. Ragan
W. W. Booles	Alex E. Johnson	O. M. Rogers
H. M. Brock	L. C. Littrell	R. H. Royster
Edwin C. Dawson	Frank I. Lloyd	Dr. Lewis Ryans
Dr. T. J. Edge	Rev. C. D. McCaw	E. D. Stephenson
Thos. C. Ferguson	C.T.McCormick,Sr.	Thos. O. Turner
Walter N. Flippin	Wm. Mehler	Fred C. VanHoose
Chas. G. Franklin	E. C. Moore	Sewell B. Williams
Perry B. Gaines	Ray B. Moss	W. A. Yates
Arch Hamilton	D. C. Naive	Allie W. Young
J. S. W. Holloway	Marion F. Pogue	Gates F. Young
Robert Humphreys		—34

Resolved that the title thereof be as aforesaid.

Senator Gates F. Young moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senator Ryans moved that the Senate do now adjourn until Wednesday, February 24th at 11 o'clock A. M.

Said motion was agreed to.

WEDNESDAY, FEBRUARY 24, 1932.

The Senate was called to order by the President of the Senate, Lieutenant-Governor Albert B. Chandler.

The Senate was opened with prayer by Rev. Dr. Simpson of the Frankfort Church of Nazarene.

The roll of the Senate was caled and the following Senators answered to their names:

Jas. H. Bondurant	Silas Jacobs	Dr. G. W. Ragan
W. W. Booles	Alex E. Johnson	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	E. D. Stephenson
Thos. C. Ferguson	C.T.McCormick,Sr.	Joe Stewart
Walter N. Flippin	Wm. Mehler	Thos. O. Turner
Chas. G. Franklin	E. C. Moore	Fred C. VanHoose
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch Hamilton	D. C. Naive	W. A. Yates
J. S. W. Holloway	Marion F. Pogue	Gates F. Young
Wm. Isaacs		—34

Senator Gates F. Young moved that the reading of the Journal be dispensed with and the Journal approved.

Said motion was agreed to.

Senator Hamilton moved that the privileges of the floor be extended to Mrs. Helen Thompson and Miss Elizabeth Hulett of Lexington.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor be extended to Mrs. Wm. Seuter, Mrs. Rife Hodgkin, Mrs. Jesse Hampton, Dr. Howard Lyons, Miss Florence Winn of Winchester and Mrs. Rufus Lisle of Frankfort.

Said motion was agreed to.

Senator Franklin moved that the privileges of the floor be extended to Mr. R. S. Wilson of Madisonville.

Said motion was agreed to.

Senator Williams moved that the privileges of the floor be extended to Judge C. A. Bock of Jackson.

Said motion was agreed to.

Senator Naive moved that the privileges of the floor be extended to Mr. W. S. Hughes.

Said motion was agreed to.

Senator Holloway moved that the privileges of the floor be extended to Dr. Samuel Holley of Lexington and Mr. C. J. Redmond of Paris.

Said motion was agreed to.

Senator Moss moved that the privileges of the floor be extended to Mr. A. T. Siler.

Said motion was agreed to.

Senator Franklin moved that the privileges of the floor be extended to Mr. S. S. Lanier and Mrs. Maude Dickerson.

Said motion was agreed to.

Senator Pogue moved that the privileges of the floor be extended to Miss Nancy Purdom and Mr. Alton Wicker.

Said motion was agreed to.

Senator Hamilton moved that Messrs. Willis Stewart, G. P. Burke and Arch Hamilton, Jr., of Lexington be made honorary pages for the day.

Said motion was agreed to.

Senator Rose moved that the privileges of the floor be extended to Messrs. P. A. Williams and T. H. Lawhurn.

Said motion was agreed to.

Senator Booles moved that the privileges of the floor be extended to Messrs. Wm. Hufortz and Joe Gordon of Mercer County.

Said motion was agreed to.

Senator Ferguson moved that the privileges of the floor be extended to Mr. Joseph Hill of Frankfort, Hon. Alex M. Chaney of Bowling Green, and Judge Archie Moore of Morgantown.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Mr. L. H. Powell and Mr. Knight of Brandenburg.

Said motion was agreed to.

Senator Royster moved that the privileges of the floor be extended to Mr. R. L. Jackson of Dixon.

Said motion was agreed to.

Senator Stephenson moved that the privileges of the floor be extended to Mr. J. E. Sanders of Pikeville and Mr. Astor Hogg of Whitesburg for the balance of the week.

Said motion was agreed to.

Senator Hamilton moved that the privileges of the floor be extended to Mrs. Zack Montgomery and Mrs. Patsie Hogen.

Said motion was agreed to.

Senator Gates F. Young moved that the privileges of the floor be extended to Hon. Clarence Bartlett, of Hartford, Messrs. A. S. Guffin, G. A. Jett, James Wilson and E. K. Short.

Said motion was agreed to.

Bills of the following titles were introduced, referred and ordered printed, as follows, viz.:

By Senator Flippin.

S. B. 421. An Act to extend the jurisdiction of the Franklin Circuit Court.

To Committee on Courts and Legal Procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the venue of all actions, at law or in equity, which may be brought for or against the Commonwealth of Kentucky, or for or against any department, agency, board, commission, or other public corporation or body politic owned or controlled in whole or in part by the Commonwealth of Kentucky other than the political subdivisions of the State shall be the County of Franklin, and for that purpose, exclusive jurisdiction, co-extensive with the State, hereby is vested in the Circuit Court in and for the County of Franklin.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

By Senator Dawson.

S. B. 422. An Act to establish a new Primary road project to be known as project No. — beginning at a point about

two and one-half miles north of Balltown, Nelson County, on Federal Highway 31E to a point on State Highway No. 49.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road beginning at a point on Federal Highway 31-E, about two and one-half miles north of Balltown, Nelson County, by way of St. Thomas to a point on State Highway No. 49 at or near the Alex Downs farm, a distance of approximately four miles, be and the same is hereby established and designated as a part of the primary system of State highways of the Commonwealth of Kentucky and known as Project No. —.

The construction, maintenance and supervision of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the 1920 General Assembly, establishing and creating a primary system of State highways.

By Senator Johnson.

S. B. 423. An Act to prohibit prize fights, wrestling matches and boxing matches in the Commonwealth of Kentucky and prescribing penalties for violations therefor.

To Committee on Child's Welfare and Social Work.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any persons, firms or corporations that shall engage

in the advertising, managing or staging any prize fights, wrestling matches or boxing matches in the Commonwealth of Kentucky shall be deemed guilty of a felony and shall be fined $1,000 or two years in the penitentiary or both.

§ 2. Any person or persons of any age, color or sex that shall engage in a prize fight, wrestling match or boxing match in the Commonwealth of Kentucky, whether in public or in private shall be deemed guilty of a felony and upon conviction be fined $1,000 or two years in the penitentiary or both.

§ 3. Any person attending any such prize fight, wrestling match or boxing match shall be deemed guilty of a misdemeanor and shall be fined $100 and confined in the county jail for ninety days or both.

§ 4. Any citizen of this Commonwealth who shall for the purpose of attending any prize fight, boxing match or wrestling match leave his or her home with such exhibition as his destination shall upon his or her return, if married, be ipso facto divorced and subject to a fine of $200 or ninety days confinement in the county jail or both.

§ 5. All laws or parts of laws in conflict herewith are hereby repealed.

By Senator Gates F. Young.

S. B. 424. An Act entitled An Act to authorize receivers and liquidating agents of closed and insolvent banks to borrow money and to secure same, pledge the assets of such bank or banks for the purpose of making distribution to depositors, or to re-organize or re-open such bank or banks.

To Committee on Banks and Trust Companies.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Whereas, the Congress of the United States has enacted a law approved January 22, 1932, entitled, "An Act to provide emergency financing facilities for financial institutions, to aid in financing agriculture, commerce and industry, and for other purposes"; and

Whereas, a body corporate has been organized under the name of "Reconstruction Finance Corporation," and a question has been raised as to the statutory authority and corporate powers of financial institutions organized under the laws of the State of Kentucky, to avail themselves of the credit facilities afforded by such "Reconstruction Finance Corporation."

§ 1. Banks, combined banks and trust companies, savings banks and trust companies, building and loan associations, insurance companies, including life, fire, guaranty, surety, real estate title or indemnity companies, and whether "mutual" or "stock" companies, real estate mortgage loan companies, credit unions, agricultural credit corporations and livestock credit corporations, organized and existing under the laws of Kentucky shall, when authorized by a resolution adopted by its board of directors or by the certificate of the receiver, assignee or liquidating or reorganization committee of any such institution when in the hands of any State department or acting authority, by such representative, have the power to make and execute any required application for a loan, furnish financial statements, submit to examination, and to pledge, sell, assign or transfer in due form of law any assets owned or held by such corporation and to receive therefor or thereon loans in aid of any such institution, corporation or association, whether it be a going concern or closed or in process of liquidation, to aid in its carrying on or in its reorganization or liquidation, and such companies and any receiver or liquidating agent, reorganization committee or acting authority thereof is hereby authorized to contract for such loans and to pledge any of the assets of such financial institution for the purpose of securing such loan.

§ 2. If the authorized limit of indebtedness as prescribed

in the articles of incorporation of any such financial institution would be exceeded by such loan or any other loan, and there be an emergency not permitting of an ordinary amendment to such articles of incorporation within the time now prescribed by law, then and in such case two-thirds of the board of directors of such corporation may adopt an amendment to the charter in such respect, provided notice thereof be mailed to the last known address of each stockholder of record not less than five days before any loan in excess of the authorized limit of indebtedness is made; and provided further, that if the holders of 25% in amount of the stock of such corporation shall within said period request a meeting of the stockholders to reconsider such amendment, then a meeting of the stockholders shall be called by sending a notice by mail to the last known address of the stockholders of record to convene at a time and place specified in such notice and not less than five days nor more than twenty days from the date of the mailing of such notice, and such proposed amendment of charter, shall be determined at such meeting as is now provided by law.

§ 3. All laws and parts of laws in conflict herewith are hereby repealed.

§ 4. Should any court declare any section, clause or words of this Act to be unconstitutional, then such decision shall affect only the section, clause or words so declared to be unconstitutional, and shall not affect any other section or clause of this Act, it being hereby declared to be the purpose of the Legislative Branch of this State to enact this law and each section and clause thereof independently.

§ 5. Because of the stress now existing in business generally, and for the purpose of affording to the financial corporations organized under the laws of this State the benefits of the Act of Congress creating the Reconstruction Finance Corporation, an emergency is hereby declared to exist, and this Act shall become effective upon its passage and approval.

By Senator Williams.

S. B. 425. An Act establishing and making a road leading from, beginning and intersecting with the Jackson-Hindman road at the mouth of Spring Fork on Quicksand Creek in Breathitt County, Kentucky, and running up Spring Fork of Quicksand Creek and connecting with the Salyersville-Hindman road.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That road beginning and intersecting with the Jackson-Hindman road at the mouth of Spring Fork of Quicksand Creek in Breathitt County, Kentucky, and running up Spring Fork of Quicksand Creek and connecting with the Salyersville-Hindman road.

That the construction, maintenance, supervision and control of the said road project shall be subject to all the terms and conditions and be entitled to all the benefits as are provided in Chapter 17 of the Acts of the General Assembly of 1920 session, establishing and creating a primary system of roads.

By Senator Williams.

S. B. 426. An Act creating and establishing as a part of the State primary system of public roads the road leading from Athol in Breathitt County, Kentucky, up the middle fork of the Kentucky River via the mouth of Jetts Creek, the mouth of Puncheon Camp Creek to the mouth of Turkey Creek; crossing Steele Bridge and up Turkey Creek intersecting with present survey to Booneville, Owsley County, Kentucky.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of roads and highways of this Commonwealth, the following road, to-wit:

Beginning at Athol in Breathitt County, Kentucky, and running up the middle fork of the Kentucky River via the mouth of Jetts Creek; the mouth of Puncheon Camp Creek to the mouth of Turkey Creek, crossing Steele Bridge and up Turkey Creek intersecting with the present survey to Booneville, in Owsley County, Kentucky.

That the construction, maintenance, supervision and control of said road project shall be subject to all the terms and conditions and be entitled to all the benefits as provided in Chapter 17 of the Acts of the General Assembly of 1920 session, establishing and creating a primary system of roads.

By Senator Williams.

S. B. 427. An Act creating and establishing as a part of the State primary system of public roads the road leading from the mouth of Jetts Creek in Breathitt County, Kentucky, and running up Jetts Creek via Lee Rose to Booneville, in Owsley County, Kentucky.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the road beginning at the mouth of Jetts Creek in

Breathitt County, Kentucky, and running up Jetts Creek via Lee Rose, to Booneville, in Owsley County, Kentucky.

That the construction, maintenance, supervision and control of said road project shall be subject to all the terms and conditions and be entitled to all the benefits as provided in Chapter 17 of the Acts of the General Assembly of 1920 session, establishing and creating a primary system of roads.

By Senator Williams.

S. B. 428. An Act creating and establishing as a part of the State primary system of public roads a road leading from beginning and intersecting with the road from Athol, Breathitt County, Kentucky, to Jackson, Kentucky, at Highland College in Breathitt County, Kentucky; down Puncheon Camp Creek and intersecting with the River Road leading from Athol to Turkey Creek.

To Committee on Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the road beginning and intersecting with the road from Athol to Jackson at Highland College in Breathitt County, Kentucky, and down Puncheon Camp Creek and intersecting with the River Road leading from Athol, Kentucky, to Turkey Creek, in Breathitt County, Kentucky.

That the construction, maintenance, supervision and control of said road project shall be subject to all the terms and conditions and be entitled to all the benefits as provided in Chapter 17 of the Acts of the General Assembly of 1920 session, establishing and creating a primary system of roads.

By Senator Gaines.

S. B. 429. An Act to define bribery and other corrupt practices by public officers, deputies, assistants, clerks, and employees, prescribing penalties therefor, and vesting in the Franklin Circuit Court concurrent jurisdiction of criminal prosecutions against certain public officers, deputies, assistants, clerks, and employees within the purview of this Act.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. A person who being or acting as a public officer or a deputy, assistant, clerk, or other subordinate of a public officer, or any person appointed or employed by or in the office of a public officer, commission, board or agency, by wilfully auditing or paying, or consenting to, or conniving at the auditing or payment of a false or fraudulent claim or demand, or by any other means, wrongfully obtains, converts, disposes of or pays out or aids, or abets another in obtaining, receiving, converting, disposing of, or paying out of any money or property, held, owned, or in the possession of the State, or of any city, county or town, or other public corporation, or any board, commission, department, agency, trustee, agent, or officer thereof, is guilty of a felony, punishable by imprisonment for not less than three nor more than five years, or by a fine not exceeding five times the amount of value of the money or the property converted, paid out, lost or disposed of by means of the act done or abetted by such person, or by both such imprisonment and fine. The amount of any such fine when paid or collected, shall be paid to the State Treasury or to the treasury of the corporation or body injured. A conviction under this section forfeits any office held by the offender, and renders him incapable thereafter of holding any office or place of trust.

A transfer in whole or part of any deposit with any bank or other depository, or of any credit, claim, or demand upon such depository, whereby the right, title or possession of the owner or holder of such deposit, or of any custodian thereof, is impaired or affected, is a conversion thereof under this section.

§ 2. A public officer or a deputy, clerk, assistant, or other subordinate of a public officer, or any person appointed or employed by or in the office of a public officer, department, commission, board, or agency, who shall, in any manner act for or in behalf of any such officer, who asks or receives, or consents or agrees to receive, any emolument, gratuity or reward, or any promise of emolument, gratuity or reward, or any money, property or thing of value or of personal advantage, except such as may be authorized by law, for doing or omitting to do any official act, or for performing or omitting to perform, or for having performed or omitted to perform any act whatsoever directly or indirectly related to any matter in respect to which any duty or discretion is by or in pursuance of law imposed upon or vested in him, or may be exercised by him by virtue of his office, or appointment or employment or his actual relation to the matter, shall be guilty of a felony, punishable by imprisonment for not more than ten years or by a fine of not more than four thousand dollars, or both.

§ 3. If any person shall, at the time of the commission of any offense herein defined, be employed by any department, office, board, agency, or commission of the Commonwealth of Kentucky, then and in such case the venue of any criminal proceeding brought on behalf of the Commonwealth, in aid of the enforcement of this Act, against any such person shall be the county of Franklin, and for that purpose concurrent criminal jurisdiction with each and every of the other circuit courts within this Commonwealth is hereby vested in the Franklin Circuit Court. Provided, however, that the accused, upon demand, if he resides elsewhere than in the county of Franklin, shall have the right to be tried before a jury sum-

moned from the county of his residence, in the manner provided by Article 4 of the Criminal Code of Practice.

§ 4. The offenses defined in Sections 1 and 2 of this Act, the penalties prescribed for the commission thereof, and the remedy provided by Section 3 hereof for the enforcement of this Act shall be cumulative, and shall in no sense operate to repeal any existing laws relating to offenses committed by public officers, agents, or employees.

By Senator Moore.

S. B. 430. An Act providing for the acquisition by the Commonwealth of Kentucky of the stereotype plates, books, copyrights and all other proprietary rights of and in the first seventy-seven volumes of the Reports of the Court of Appeals of Kentucky from the present non-resident owners thereof in order that the Commonwealth may acquire, own and control the publication and sale of the same; and to provide for a commission to negotiate the purchase of same, subject to the approval of the Court of Appeals of Kentucky, and to arrange for the storage of said property and for the printing, sale and distribution of said reports in the future.

To Committee on Printing.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Governor, Attorney General, and State Librarian as a Commission representing the Commonwealth of Kentucky, be and are hereby authorized, empowered and directed, by and with the consent and approval of the Court of Appeals of Kentucky, on and after the effective date of this Act, to make a contract for the purchase by the Commonwealth from the present non-resident owners thereof the copyrights, stereotype plates, books, either bound or un-

bound, and all other proprietary rights in and to the first seventy-seven volumes of the Reports of the Kentucky Court of Appeals, and to provide for the permanent ownership, control, and distribution of said Reports by the Commonwealth.

§ 2. The storage, sale and distribution of said reports, and custody of the property acquired by the Commonwealth under the provision of this Act, and the reprinting of said reports, if required, from the stereotype plates so purchased of any volume or volumes that may become exhausted shall be vested in and under the supervision of the officials as provided in Section 955a-1 to and including Section 955a-10, of the Kentucky Statutes, Carroll's 1930 Edition, pertaining to the control, sale, and distribution of the current reports of the Court of Appeals.

§ 3. The payment for the property acquired, if any, under the provision of this Act, is to be made out of the general fund of the Commonwealth, and the proceeds received from the printing, distribution and sale by the Commonwealth of any of the aforesaid volumes is to be paid and credited to the general tax fund of the Commonwealth.

§ 4. All laws, or parts of laws, in conflict herewith are hereby repealed.

By Senator Isaacs.

S. B. 431. An Act to repeal Section 418-A, Carroll's Kentucky Statutes, 1930 Edition, and to re-enact same dividing the Commonwealth of Kentucky into nine Congressional Districts.

To Committee on Kentucky Statutes No. 1.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 418-A is hereby repealed and re-enacted to read as follows: The Commonwealth of Kentucky be and the same is now hereby divided into nine Congressional Districts as follows:

District No. 1. Will comprise the following counties, Fulton, Hickman, Carlisle, Ballard, McCracken, Graves, Calloway, Marshall, Livingston, Trigg, Lyon, Caldwell, Crittenden, Union, Webster and Hopkins. Population Census 1930, 278,942.

District No. 2. Christian, Todd, Logan, Simpson, Warren, Edmonson, Butler, Muhlenberg, Ohio, McLean, Daviess and Henderson Counties. Population 1930, 282,184.

District No. 3. Allen, Monroe, Cumberland, Clinton, Russell, Adair, Metcalfe, Barren, Hart, Green, Taylor, Marion, Washington, Nelson, Larue, Grayson, Hardin, Hancock, Breckinridge, Meade and Bullitt Counties. Population 1930, 282,789.

District No. 4. Wayne, McCreary, Whitley, Laurel, Pulaski, Casey, Boyle, Mercer, Lincoln, Garrard, Madison, Rockcastle, Jackson, Owsley, Lee and Estill Counties. Population 1930, 280,971.

District No. 5. Jefferson County. Population 1930, 355,350.

District No. 6. Boone, Gallatin, Grant, Kenton, Campbell, Pendleton, Harrison, Robertson, Bracken, Mason, Fleming, Lewis and Rowan Counties. Population 1930, 286,529.

District No. 7. Spencer, Anderson, Shelby, Oldham, Trimble, Henry, Carroll, Owen, Franklin, Scott, Woodford, Fayette, Jessamine, Clark, Bourbon, Nicholas, Bath, Montgomery, Menifee and Powell Counties. Population 1930, 282,141.

District No. 8. Greenup, Carter, Boyd, Lawrence, Elliott, Morgan, Johnson, Martin, Pike, Floyd and Magoffin Counties. Population 1930, 284,136.

District No. 9. Clay, Knox, Bell, Harlan, Leslie, Letcher, Perry, Knott, Breathitt and Wolfe Counties. Population 1930, 281,547.

All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Senator Gates F. Young proposed a resolution of the following title:

S. Res. 38. Resolution creating the Kentucky Revenue Commission; fixing the duties thereof, and providing for the appointment of the members of said commission, and further providing for the payment of expenses incurred by the said commission.

Said resolution reads as follows:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That there is hereby created the Kentucky Revenue Commission, which shall be composed of five members to be appointed by the Governor of the Commonwealth, two from the present members of the House of Representatives of the General Assembly, and two from the present members of the Senate of the General Assembly, and one other person, who may or may not be a member of the General Assembly, but who is familiar with the revenue and taxation laws of the State, all of whom shall serve without compensation.

The duties of said commission shall be to investigate the taxation methods of this and other States; to hold public hearing in various sections of the State, if deemed necessary; to grant hearings to taxpayers as may be requested or

thought advisable; to have the authority to examine the records of all State, county, city and town offices and officers for the purpose of securing information respecting the revenues and expenses of such taxing authorities; to require county, city and town assessors to supply information concerning the assessment of property and the levying of taxes in their respective localities, also rates, dates and such other information affecting revenues and taxation methods as may be deemed necessary by the commission; to prepare reports and submit proposed legislative measures as the members of the commission deem advisable for the betterment of the State's revenue and taxation laws, and submit said reports and proposed measures to the Governor.

Said commission shall meet within fifteen days after the adjournment of the present session of the General Assembly and organize by the selection of one of its members as Chairman and a Secretary.

The necessary expenses of said commission, or its members, in the actual performance of their duties as herein provided for shall be paid by the Commonwealth on the filing of the statements of same with the Governor, who shall authorize their payment by the State Auditor out of the appropriation heretofore made by this General Assembly in "An Act authorizing, empowering and directing the Governor to cause an audit, study and survey of all the departments, institutions, boards, commissions and agencies of the Commonwealth; empowering him to employ auditors, accountants, clerks, bookkeepers and all other persons necessary to make said audit, study and survey, defining the scope or character of same, and appropriating the sum of one hundred and fifty thousand dollars ($150,000.00) to be used by the Governor in carrying out the purposes of the Act."

Said commission shall make a written or printed report of its work, as well as proposed measures for the raising of additional revenues, or changing the methods and rates now in force and effect on various classes of property to the Gov-

ernor of the Commonwealth as soon as practicable, but in all events before November 1, 1933, and the Governor shall decide as to the time such recommendations shall be transmitted to the General Assembly.

Said resolution referred to Committee on Revenue and Taxation.

A message was received from the House of Representatives announcing that they had passed a bill of the following title:

H. B. 615. An Act repealing and re-enacting Sections 2711a-1 to 2711a-127, inclusive, and Sections 2711a-129 to 2711a-141, inclusive, of Chapter 86 of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, same being an Act providing for the organization, armament, discipline and government of the militia and National Guard of Kentucky; providing for a Military Department of Kentucky; providing for the proper officer and other employees of said department; same being intended to repeal and re-enact all of the present laws of Kentucky relating to the militia and National Guard except Section 2711a-128 of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, which section is specifically exempted from the effect of the repeal and re-enactment herein provided for.

It was ordered that said bill be referred to the Committee on Military Affairs.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 2711a-1 to 2711a-127, inclusive, and Sections 2711a-129 to 2711a-141, inclusive, of Chapter 86 of Baldwin's 1930 Supplement to the Kentucky Statutes, Car-

roll's 1922 Edition, be and the same are hereby repealed and re-enacted so that said laws when re-enacted shall reads as follows:

§ 1. There is hereby created a department of the State government to be known as the "Military Department of Kentucky," which department shall have charge of and shall be responsible to the Governor for the proper functioning of the National Guard, the militia and all other military or naval matters of the Commonwealth. The Adjutant General, who shall be appointed by the Governor, shall be executive officer of this department, and shall be responsible to the Governor for the proper carrying into effect of all laws, rules and regulations of the United States Government and of the State of Kentucky affecting the National Guard, the organized militia or other military organizations properly established by law.

§ 2. The Governor of the State, by virtue of his office, shall be the Commander-in-Chief of the militia of the State, except of such portions as may be at times in the service of the United States; but he shall not command personally in the field unless advised so to do by a resolution of the General Assembly.

§ 3. The staff of the Commander-in-Chief shall consist of an administrative and a personal staff. The administrative staff shall consist of an Adjutant General of the grade of Brigadier General, and of such other officers of the Kentucky National Guard as may be detailed by the Governor, of the grade prescribed by the War Department of the United States for the administrative staff for the State of Kentucky. The personal staff shall consist of not more than four aides-de-camp, detailed from the commissioned officers of the National Guard in active service from those of the grades below that of Colonel. Such detail shall not add to the grade of the officer so appointed. The officers detailed as aides-de-camp shall not be relieved from duty with their respective organizations, but shall perform all duties pertaining thereto,

except when on duty as aides-de-camp under orders of the Governor. The staff shall be appointed by the Governor and shall hold office during his pleasure or during the term for which he was elected.

§ 4. The militia of the State shall consist of all able-bodied male citizens, and all other able-bodied males who have or shall have declared their intention to become citizens of the United States, between the ages of 18 and 45, who are residents of the State, and of such other persons as may upon their own application be enlisted or commissioned therein pursuant to the provisions of the law, subject, however, to such exemptions as are now or may be hereafter created by the laws of the United States. The militia of this State shall be divided into two classes:

(a) The organized militia to be known as the Kentucky National Guard.

(b) The reserve militia, consisting of all other persons liable to military service.

§ 5. The officers, judicial and executive, of all departments of the State of Kentucky and of the United States, without regard to age, shall be exempt from duty in the militia, and all persons who because of religious belief shall claim exemption from military service, when the conscientious holding by such persons shall be established under such regulations as the Governor shall prescribe, shall be exempt from military service in a combatant capacity, but no person so exempted shall be exempt from military service in any capacity that the Governor shall declare to be non-combatant.

§ 6. When the Governor, by public proclamation, so commands, it shall be the duty of each County Clerk to enroll the names of all persons liable to duty in the militia and by such times as the said proclamation may prescribe, and to transmit said rolls to the Adjutant General of the State.

When such service is required of the County Clerk, he shall be allowed one cent (1c) for each name returned by him, to be paid out of the State Treasury, and if the County Clerk neglects or refuses to render such service when so required, he shall be subject to a fine of not more than five hundred dollars ($500.00) and not less than one hundred dollars ($100.00).

§ 7. The officer making the enrollment shall, at the time of making same, serve a notice of such enrollment upon each person enrolled by delivering such notice to him or leaving it with some person of suitable age and discretion at his place of residence. All persons claiming exemption must, within fifteen days after receiving such notice, file a written statement of such exemption, verified by affidavit, in the office of the County Clerk. Such clerk shall thereupon, if such person be exempted according to law, mark the word "exempt" opposite his name; and the remainder of all thus enrolled and not found thus to be exempt shall constitute the reserve militia of the State, and such county clerk shall transmit a copy of such corrected roll to the Adjutant General of the State. The commanding officer of each organization in the National Guard and the heads of each fire and police department in each city or town, whenever an enrollment is ordered shall file in the office of such County Clerk a certified list of the names of all persons in his command or department.

§ 8. The Governor shall have power, in case of insurrection, invasion, tumult, riot or breach of the peace, or imminent danger thereof, to order into the active service of the State any part of the militia that he may deem proper. When the militia of this State, or a part thereof, is called forth under the Constitution and laws of the United States, the Governor shall order out for service the Kentucky National Guard, or such part thereof as may be necessary and, if the number available be insufficient, he shall order out the reserve militia or such part as may be necessary.

§ 9. Whenever it shall be necessary to call out any por-

tion of the reserve militia for active duty in case of insurrection, invasion, tumult, riot or breach of the peace, or imminent danger thereof, or when called forth for service under the Constitution and laws of the United States, the Governor may call for and accept as many volunteers as are required for such service, or he may by public proclamation summon all or any number of them to be assembled by the sheriff at any point or points within the county or respective counties as may be designated by the proclamation, and thereupon the sheriff, on penalty of a fine of one thousand dollars ($1,000.00) for refusal or neglect, shall summon the members of the reserve militia within his county as he would summon a civil posse, and under similar penalties against those who fail to obey his summons. But should the Governor's proclamation call for only a part of the reserve militia of any county, the sheriff may first call for volunteers therefore and, if that should appear to be inexpedient, he shall summon the members of the reserve militia to be assembled in their magisterial districts and there determine, under the supervision and control of a justice of the peace, by lot, those who shall be selected to fill the quota of that magisterial district. The reserve militia so called into service shall become subject to the same laws and regulations as members of the Kentucky National Guard.

§ 10. The Governor shall immediately upon his induction into office appoint an Adjutant General, who shall be selected from among the Federally recognized officers of the Kentucky National Guard and who shall have had active service on the active list of officers of the Kentucky National Guard for five years next preceding the date of his appointment in at least the rank and grade of Captain. Said Adjutant General at the time of his appointment shall be not less than forty years of age. The officer so selected as Adjutant General shall by Executive Order of the Governor be ordered and placed on active duty, and in the event said appointee does not already hold the commission of Brigadier General of the Kentucky National Guard, he shall be given temporary rank as Brigadier General of the Kentucky National Guard and shall be

so commissioned by the Governor. In the event that the commission is only temporary, said commission shall automatically be vacated when said appointee shall be relieved from duty as Adjutant General or at the expiration of the term of the Governor making the appointment. The office of Adjutant General shall not be incompatible with or serve to vacate the commission in the Kentucky National Guard held by the officer appointed Adjutant General at the time of his appointment, nor shall it be incompatible with any office to which he might be promoted, nor shall it interfere with or prevent his attending to the duties of the office held at the time or to which he may be thereafter promoted.

§ 11. The Adjutant General of the State shall perform the duties prescribed for him by the laws and regulations now or hereafter issued thereunder by the United States or the State of Kentucky, now or hereafter enacted. He shall direct and supervise the functions and duties of the chiefs of staff departments. He shall supervise all troops and all departments, arms and branches of the Kentucky National Guard. Such supervisory power covers primarily duties pertaining to command, discipline, training and recruiting of the National Guard, military operations, distribution of troops, inspections, armament, military education and instruction and kindred matters connected with the fiscal administration and supply of the National Guard when not in the service of the United States. The Adjutant General shall

(a) Superintend the preparation of all returns and reports required by the United States from the State.

(b) He shall keep a register of all the officers of the National Guard of the State, and keep in his office all records and papers required to be kept and filed therein and make a report to the Governor for the annual period ending on June 30 of each year of the operations and condition of the Adjutant General's office, the State Arsenal and the National Guard.

(c) He shall cause to be prepared and issued all neces-

sary blank books, forms and notices required to carry into full effect the provisions of this law. All such books and blanks shall remain the property of the State.

(d) He shall attend to the safe keeping and repairing of the ordnance, arms, accoutrements, equipments, and all other military property belonging to the State or issued to it by the United States. All military property of the State, which after a proper inspection shall be found unsuitable for use of the State, shall under the direction of the Governor be disposed of by the Adjutant General at public auction or by inviting bids after suitable advertisement of sale daily for ten days in at least one newspaper published in the city or county where the sale is to take place, or the same may be sold at private sale when so ordered by the Governor, or may, with the approval of the Governor, be turned over to any other department, board or commission of the State government by which it can be used. He shall from time to time render a just and true account of the sales made by him to the Governor and shall turn the proceeds of same into the General Fund of the State.

(e) He shall keep a just and true account of all expenses necessarily incurred, including pay of officers and enlisted men, allowances to officers and organizations, and of any other moneys required to be disbursed by him and through his office, including subsistence and transportation of the National Guard and of all military property of the State and of the United States.

(f) He shall issue such military property as the Governor shall direct and under his direction make purchases for that purpose. No military property shall be issued to persons or organizations other than those belonging to the National Guard, except to such portion of the reserve militia as may be called out by the Governor. Purchases of property not exceeding five hundred dollars ($500.00) in value and purchases from the Federal government shall be made in such manner as the Adjutant General of the State shall direct.

If such purchase requires an expenditure exceeding five hundred dollars ($500.00) and not exceeding one thousand dollars ($1,000.00), the Adjutant General of the State shall procure written proposals to furnish such property from the lowest responsible bidder. If such purchase shall require the expenditure of a sum exceeding one thousand dollars ($1,000.00), he shall publicly advertise, for not less than ten days, for sealed proposals for furnishing such property; such proposals to be publicly opened by the Adjutant General of the State at the place, day and hour designated in such advertisement. The Adjutant General shall, if the Governor approves, make contract with the lowest responsible bidder to furnish such property. All proposals and contracts made under the authority hereby conferred shall be filed in the office of the Adjutant General of the State. The Adjutant General is authorized and directed, whenever in his opinion it shall be to the interest of the State, to require a party who shall agree or contract to furnish such property to give bond to the Commonwealth of Kentucky in such sum and with such surety as he shall direct, conditioned for the faithful performance of such agreement or contract. In case of default such bond shall be prosecuted by the Attorney General and all moneys recovered shall be paid by the Adjutant General of the State into the general fund of the State. All property purchased under the authority hereby granted shall be inspected by an inspector or officer detailed for that purpose, and no payment shall be made therefor until it shall appear by the certificate of such officer that such property is of the kind and quality specified in such agreement or contract. In case of insurrection, invasion, tumult, riot, breaches of the peace or imminent danger thereof, the Governor may, upon the recommendation of the Adjutant General, temporarily suspend the operation of this paragraph and direct the Adjutant General of the State to purchase such military property as may be required in open market. He shall report such action, with the reasons therefor and a statement of the property purchased and the price paid therefor to the General Assembly at its next session.

(g) The Adjutant General shall establish and maintain

as part of his office a bureau of war records in which all records pertaining to wars and relics shall be kept. He shall be custodian of all such records, relics, colors, standards and battle flags now the property of the State, or in its possession, or which the State may hereafter procure or become possessed of.

(h) In the absence or inability to perform the duties of the Adjutant General, he may designate by special order an officer to perform those duties temporarily or, if no officer is so designated, the senior officer on duty in the Adjutant General's office shall perform the duties prescribed for the Adjutant General.

(i) He shall organize units of the National Guard at such places as the Governor shall designate and have the members thereof mustered into service under such regulations as the Governor shall prescribe.

§ 12. All accounts and claims of every character and description against the Military Department shall be carefully audited by the Adjutant General, and all vouchers for expenditures shall first be authenticated and approved by the Adjutant General before same are allowed by the Auditor. In the event the Adjutant General shall be absent from the State for as much as fifteen days, or shall be otherwise incapacitated for the same period of time to properly audit and approve said vouchers, then said vouchers may be allowed by the Auditor after same have been properly audited and approved by an officer serving in the Military Department, who has been properly designated by Special Order to act for and on behalf of the Adjutant General during his absence or other incapacity.

§ 13. The Governor may also appoint, in his discretion, an Assistant Adjutant General from among the officers of the Kentucky National Guard. Said appointee at the time of his appointment shall be at least thirty years of age and shall have had active service as an officer on the active list of officers of the Kentucky National Guard for not less than five

years next preceding the date of his appointment. Said five years service shall be in at least the grade of First Lieutenant. The officer so selected by the Governor as Assistant Adjutant General shall by Executive Order be placed upon active duty, and in the event said appointee does not already hold the commission of Major of the Kentucky National Guard, he shall be given temporary rank as Major of the Kentucky National Guard and shall be so commissioned by the Governor. In the event the commission is only temporary, said commission shall automatically be vacated when said appointee shall be relieved from duty as Assistant Adjutant General or at the expiration of the term of the Governor making the appointment. The office of Assistant Adjutant General shall not be incompatible with or serve to vacate the commission held by the officer appointed Assistant Adjutant General at the time of his appointment nor one to which he might be promoted, nor shall it interfere with or prevent his attending to the duties of the office held at the time or to which he may be promoted thereafter, and shall in no wise be incompatible with the office held or to which he may later be promoted.

§ 14. The Adjutant General by and with the advice and approval of the Governor shall have the power to appoint the officers and other personnel necessary for the proper functioning of the Military Department and he shall prescribe their duties. The salaries of such officers and other employees shall be fixed by the Adjutant General with the approval of the Governor.

§ 15. Officers and enlisted men employed in the Adjutant General's office shall not be entitled to additional pay from the State for active final service nor for active duty, but shall be entitled to actual cost of transportation and three dollars per diem in lieu of subsistence and quarters, or to actual cost of such subsistence and quarters when so provided in the order under which such duty is performed when serving under orders beyond the limits of the City of Frankfort, except that the foregoing provisions shall not prohibit an officer or enlisted man from receiving pay from the United

States for participation in encampments or field service while in the service of the State.

§ 16. The system of organization, armament, discipline and government of the militia shall be prescribed from time to time in a code of regulations to be promulgated by the Governor, subject at all times to the laws and regulations of the United States governing the organized militia or National Guard, and to such general exceptions as may be authorized by the Secretary of War.

§ 17. The articles of war for the government of the armies of the United States as now or hereafter enacted shall be in force at all times as to the forces of the State and regarded as a part of this law so far as they are consistent with its provisions and with the regulations now or hereafter issued thereunder. But no punishment under such rules and articles which shall extend to the taking of life shall, in any case, be inflicted except in time of actual war, invasion, or insurrection, declared by proclamation of the Governor to exist, and then only after the approval by the Governor of the sentence inflicting such punishment. Imprisonment other than in guard house shall be executed in jails, penitentiaries or prisons designated by the Governor or by the Adjutant General or by the convening authority of any court martial.

§ 18. The Attorney General of the State shall be the legal advisor of the Governor and of the Adjutant General of the State.

§ 19. The National Guard of the State shall consist of general officers of the line, the several staff corps and departments as prescribed in tables of organization of the United States Army for the National Guard, the officers and enlisted men on the retired list, reserve list and in the National Guard Reserve, the organizations forming the National Guard at this date, such others as may be organized hereafter and such persons as are enlisted and commissioned therein. The Governor shall have power to alter, divide, annex, consolidate,

disband or reorganize any organization, department or corps whenever in his judgment the efficiency of the State forces will be thereby increased, and he shall have power to change the organization of any organization, department or corps so as to conform to any organization, system of drill or instruction now or hereafter prescribed by the laws of the United States for the organization of the National Guard, and for that purpose the number of the officers and non-commissioned officers of any grade in any organization, department or corps may be increased or diminished and the grades of such officers and non-commissioned officers may be altered to the extent necessary to secure such conformity; provided that no organization of the National Guard, members of which shall be entitled to and shall have received compensation under the Act of Congress approved June 3, 1916, as amended, shall be disbanded without the consent of the President of the United States, nor without such consent shall the commissioned or enlisted strength of any such organization be reduced below the minimum that shall be prescribed therefor by the President; and provided further, that the assignment of organization of the Federally recognized National Guard to divisions, brigades and other tactical units shall be made in accordance with the provisions of the Act of Congress approved June 3, 1916, as amended. The Governor shall have power to fix and, from time to time, to alter the maximum and minimum number of enlisted men which shall form part of any organization, department or corps within the limitations fixed by the Act of Congress approved June 3, 1916, as amended. The aggregate forces of the National Guard in time of peace, fully armed, uniformed and equipped, shall not be less than 2,500 enlisted men.

§ 20. The Governor is authorized to prescribe the organization of the National Guard to conform, as far as practicable, to that prescribed by the laws and regulations of the United States now or hereafter in force. National Guard troops allotted to the State under under the Act of Congress approved June 3, 1916, as amended, when organized under authority of the Governor, shall be maintained by the State

and furnished with adequate and suitable armory accommodations, ranges and camp grounds.

§ 21. No officer or enlisted man of the Kentucky National Guard shall incur any expenses whatsoever to be paid by the State, except such as are authorized by this Act, without first obtaining authority therefor, provided that in extreme emergencies the commanding officer of any organization, unit or detachment of the Kentucky National Guard may procure services and purchase such stores and supplies as are absolutely required for the immediate use and care of his command; and a report of his action, containing an itemized statement or account of such services procured or stores and supplies purchased, shall be made forthwith to the Adjutant General. Such accounts, when the emergency and correctness of same are certified to by the Adjutant General, shall be paid out of the funds of the State.

§ 22. It shall be the duty of the Governor, whenever he shall deem it necessary for the safety or welfare of the Commonwealth, or when any actual or threatened invasion, insurrection, domestic violence, or other danger to the public interest make it necessary to employ military force in aid of the civil power of the government, for the enforcement of law or to preserve the peace and the security of the rights and lives or property of the citizens to order into active field service so much of the Kentucky National Guard, or military force of the Commonwealth, as he may deem necessary, and he may by his order prescribe the duty to be performed by the troops thus called into active field service. The Governor may direct the commanding officer of such military forces thus ordered into service to report to any of the following named civil officers of the district, county, city or town: Circuit judge, county judge, mayor, and such civil officers may direct the specific object to be accomplished by such military force, but the tactical direction and disposition of the troops and the particular means to be employed to accomplish the object, shall be left solely to the officers of the National Guard. Any one of the civil officers named above shall have authority

in case of breach of the peace, riots, mobs, great calamity, resistance to the processes of the State, or imminent danger thereof, or imminent danger of violence to life or property, by written order to the commanding officer of any division, brigade, regiment, battalion, company or other unit of the Kentucky National Guard, order into active field service such part of the National Guard to be specified in his written order as such civil officer may deem necessary to assist the civil authorities to enforce the law and to prevent violence to persons or property; provided, however, that such civil officer shall have authority only in case of emergency, when in his judgment it is impossible or impracticable to communicate with the Governor in time to prevent threatened violation of law or damage to persons or property. Such officer and the commanding officer of the troops ordered into service by him shall, as soon as possible, report said facts and circumstances relating thereto to the Governor, and the Governor shall take such action as he may deem necessary. Troops shall not be relieved from active field duty except by order of the Governor.

§ 23. All officers of the National Guard shall be commissioned by the Governor at his discretion; but no one shall be commissioned unless the conditions set forth in the next two sections have been complied with, and no one shall be recognized as an officer unless he shall have been duly commissioned, and shall have taken the oath of office. Commissions shall be issued to officers in the army, corps or departments of the service of which they are a part and not in any particular regiment or unit. Commissioned officers shall rank in their grade according to the date of their commission. Between officers of the same grade and date of appointment or commission, where there has been no previous commissioned service, the relative rank shall be determined by age, where there has been previous service in the Army of the United States or in the Kentucky National Guard, or the National Guard Reserve of this State, such previous service shall count in the order herein named. The day of the appointment of an officer shall be expressed in his commission and shall be

considered as the date thereof. When an officer is appointed or transferred from one office or organization to another, without increase of grade or loss of continuous service, he shall rank in the grade according to the date of his original commission, which shall be stated in his new commission.

§ 24. Commissioned officers must be citizens of the United States and of the age of twenty-one and upwards. No person who has been expelled or dishonorably discharged from the military or naval service of this State, or any other State, or of the United States, shall be commissioned. No person shall be commissioned unless he shall possess the qualifications now or hereafter prescribed by the laws or regulations of the United States and the additional requirements herein prescribed for the particular office to which he is to be commissioned. A general officer above the grade of brigadier general, at the time of his appointment, must be an officer in active service in the National Guard of Kentucky of the grade of brigadier general or field officer, and for seven successive years immediately preceding his appointment, he must have been in active service in said National Guard as a field officer. A brigadier general, at the time of his appointment, must be an officer in active service in the Kentucky National Guard of the grade of field officer for five successive years immediately preceding his appointment. A colonel of a regiment, at the time of his appointment, must either be an officer in active service in the National Guard, and for three successive years immediately preceding his appointment, he must have been in active service in said National Guard as a commissioned officer; or, if not in active service at the time of appointment, he must have had prior service of at least six years in said National Guard or in the Army of the United States, or in both combined, as a commissioned officer. A lieutenant colonel and major of the line, at the time of his appointment, must either be an officer in active service and for two successive years immediately preceding his appointment he must have been in active service in said National Guard as a commissioned officer or, if not in active service at the time of his appointment, he must have had prior service of at least

six years in said National Guard or in the Army of the United States, or in both combined, as a commissioned officer. Officers of the corps of engineers, the signal corps, the adjutant general's department, the inspector general's department, the quartermaster corps and the ordinance department above the grade of captain must possess the same requirements as officers of the line of the same respective grades. Officers of all arms, corps and departments of or below the grade of captain must have served one year immediately preceding appointment in said National Guard or, if not in active service at the time of appointment, they must have had at least one year's service in said National Guard, or the Army, Navy or Reserve Corps of the United States, or both combined. An officer of the judge advocate general's department must be a counsellor-at-law of the highest court of this State of at least ten years' standing if of the grade of colonel or lieutenant colonel, of at least five years' standing if of the grade of major, of at least three years' standing if below the grade of major. An officer of the medical corps must be a graduate of a recognized school of medicine and of at least ten years' practice if of the grade of colonel or lieutenant colonel; of at least five years' practice if of the grade of major; of at least three years' practice if of the grade of captain; and of at least one year's practice if of the grade of first lieutenant. An officer of the signal corps must have a knowledge of signaling, telegraphy, topography and map making. A chaplain must be a regularly ordained minister of some religious denomination.

Staff officers, including officers of the pay, inspection, subsistence and medical departments, hereafter appointed, shall have had previous military experience, and all officers shall hold their commissions until they shall have reached the age of sixty-four years, unless retired prior to that time by reason of resignation, disability or for cause to be determined by a court martial or efficiency board legally convened for that purpose.

§ 25. Every officer commissioned in the National Guard

shall be examined as to his physical condition, knowledge of military affairs and general knowledge and fitness for service, in the army, corps or department in which he shall be commissioned, in accordance with the rules and regulations of the United States Army and of the State of Kentucky.

§ 26. Examinations for commissioned officers of the National Guard may be conducted by boards organized in accordance with the provisions of the National Guard Act or any amendment thereof which may hereafter be enacted by Congress. Nominations for commissions in the National Guard shall be initiated by the commanding officer of the organization to which the candidate is to be assigned, and referred to the Adjutant General for preliminary determination of the eligibility and fitness of the candidate to serve in the grade to which he is nominated. The Adjutant General may constitute and dissolve boards to pass upon the eligibility and fitness of candidates.

§ 27. Every officer duly commissioned shall, within ten days after his commission is tendered to him, or within ten days after he shall have been notified personally or by mail that the same is held in readiness for him by a superior officer, take and subscribe to the following oath of office:

"I, ..., do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the Commonwealth of Kentucky against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and of the Governor of the Commonwealth of Kentucky; that I will make this obligation freely, without any mental reservation of purpose of evasion, and that I will well and faithfully discharge the duties of the office of ..... in the National Guard of the United States and of the Commonwealth of Kentucky upon which I am about to enter, so help me God."

Such oath shall be taken and subscribed before an of-

ficer of the National Guard of the grade of general or field officer, summary court, or any civil officer authorized to administer oaths. In case of neglect or refusal to take and subscribe to such oath within the time mentioned, such commission shall be cancelled by the Governor and a new appointment shall be made to fill the vacancy.

§ 28. The National Guard Reserve shall consist of such organizations, officers and enlisted men as may be authorized and prescribed by the laws of the United States and regulations issued thereunder. In time of peace officers of the Kentucky Guard may, upon their own application, be transferred to the Kentucky National Guard Reserve after completing three years commissioned service in an active organization of the National Guard, including commissioned service in the United States Army. Upon the disbandment or consolidation of organizations of the National Guard, duly authorized, thereby rendering the commissioned officers or any of them surplus, all such officers qualified for active service whether they have had three years active commissioned service or not, except those transferred or assigned to active units, shall be transferred in the grade in which they are commissioned to the National Guard Reserve. Officers of the National Guard Reserve can not become members of the National Guard in time of peace except by appointment. Officers of the Kentucky National Guard, who have been Federally recognized under the National Defense Act and who shall lose or have had withdrawn by the Federal Government such recognition, shall be transferred by the Adjutant General to the National Guard Reserve, and such transfer shall create a vacancy in the list of officers of the Kentucky National Guard, which vacancy shall be filled by appointment or promotion as prescribed in this law.

§ 29. A commissioned officer tendering his resignation, if the Governor accepts it, shall receive an honorable discharge, provided he shall not be under arrest or to be returned to a military court for any deficiency or delinquency. If the Governor accepts the resignation of an officer, who at the

time shall be under arrest, under charges, or returned to a military court for any offense, deficiency or delinquency, such officer shall then cease to be an officer of the National Guard and shall receive a discharge in such form as the Governor shall direct, but he shall continue to be subject to trial and the judgment and punishment prescribed by such military court until the proceedings before such court are finally disposed of.

§ 30. Any commissioned officer who has served as a member of the National Guard for a period of ten years, five of which have been as a commissioned officer, may upon his own request, and shall upon attaining the age of sixty-four years, be placed upon the retired list, which shall be kept in the office of the Adjutant General. Officers so retired shall receive no compensation for their services, but shall be permitted on all occasions of ceremony to wear the uniform of the grade upon which retired. The Governor may detail officers so retired upon duty other than in the command of troops, and when so detailed, they shall receive like pay and allowance as officers on the active list detailed or employed under like conditions.

The Governor may order any commissioned officer before a medical board consisting of at least three commissioned medical officers and, if the board reports such officer to be physically unable to perform the duties of his office, the Governor shall retire him.

Any officer retired under the provisions of this section, who shall have served as a commissioned officer on active duty in the Kentucky National Guard, or in the Army, Navy or Marine Corps of the United States during any war in which United States troops were engaged, shall be placed on the retired list in the grade next higher than that actually held by him on the date of his retirement.

§ 31. The Governor may, whenever he may deem that the good of the service requires it, order any commissioned

officer before an efficiency board to consist of three officers senior in rank to the officer whose fitness for service is under examination, which is hereby invested with the powers of the courts of inquiry and courts martial, and such board shall inquire into the moral character, capacity and general fitness for the service of such commissioned officer, and record and return the testimony taken and a record of the proceedings. If the findings of such board be unfavorable to such officer and be approved by the Governor, he shall be discharged from the service. No officer whose grade or promotion would in any way be effected by the decision of such board in any case before it, shall participate in the examination or decision of the board in such case. Failure to appear when ordered before a board constituted under this section shall be sufficient grounds for a finding of such board that the officer ordered to appear be discharged. Upon the recommendation of the board, an officer discharged under the provisions of this section may be placed upon the retired list by the Governor where the discharge was issued solely because of physical inability to perform active service.

§ 32. The commission of any officer who absents himself without leave for three months shall be vacated, he shall be dropped from the rolls of the National Guard, and shall be dismissed from the service.

§ 33. Any able-bodied man of good character, resident of the State of Kentucky, who can read and write the English language, who is between the ages of eighteen and forty-five years, and who has passed the required physical examination, which physical examination shall be the same as that required for enlistment in the United States Army, may be enlisted or re-enlisted in the Kentucky National Guard for a term of not less than three years. A man who has been dishonorably discharged or discharged without honor from the United States Army, United States Navy, Marine Corps, the organized militia of any other State, or from the organized militia of this State, shall not be eligible for enlistment or re-enlistment except he produce the written consent to such

enlistment or re-enlistment of the commanding officer of the organization from which he was dishonorably discharged or discharged without honor, and of the officer who approved such discharge.

§ 34. Every person who enlists or re-enlists shall sign and make oath to an enlisted paper. Such oaths shall be taken and subscribed to before an officer authorized to accept enlistments. A person making a false oath as to any statement contained in such enlistment papers shall upon conviction be deemed guilty of a misdemeanor and punished by a fine of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00).

§ 35. Enlisted men may be transferred to or from organizations, departments or corps or otherwise as provided by regulations approved by the Governor.

§ 36. Warrant officers shall be appointed and warranted by the Governor in his discretion upon the recommendation of the commanding officer of the organization with which they are to serve. Non-commissioned staff officers and non-commissioned officers shall be warranted:

(a) In brigades, in regiments, in battalions or squadrons not part of a regiment and in similar organizations by the commanding officer thereof.

(b) In the staff corps by the senior officer thereof; in the medical department, by the senior medical officer, where such medical force or detachment is not a part of a regiment, brigade or similar organization.

(c) In all cases not hereinbefore provided for by the Adjutant General.

All non-commissioned officers shall be warranted in the discretion of the officer issuing the warrant, upon the written recommendation of the officer under whose immediate com-

mand they shall respectively serve. When an examination is required by Federal laws or regulations or by State regulations, no enlisted man shall be warranted until he shall have successfully passed such examination. In all other cases warrants may be issued without examination. The officer warranting a non-commissioned officer shall have power to reduce him to the ranks.

§ 37. When an enlisted man of the National Guard absents himself without leave and there is reason to believe that he does not intend to return, he may be dropped from the rolls under such regulations as may be prescribed.

§ 38. An enlisted man dropped from the rolls may be restored to duty by the Governor and will thereafter serve for such period as added to the time served prior to his desertion will amount to the full term for which he enlisted.

§ 39. An enlisted man shall not be discharged before the expiration of his term of service, except (1) By order of the Governor; (2) By sentence of court martial, approved by the Governor. When an enlisted man is discharged for expiration of service his discharge shall take effect on the last day thereof, i. e., if enlisted on the second day of the month, his term will expire on the first day of the same month in the third year of his term of enlistment. A soldier on his discharge from service will be given a certificate of discharge, signed by his commanding officer and approved by the Adjutant General. The character given on a discharge will be signed by the company or detachment commander, and great care will be taken that no injustice is done the soldier. If the soldier's service has been honest and faithful, he will be entitled to such character as will warrant his re-enlistment, that is, to character, at least "good." Where the company commander deems the service not honest and faithful, he shall, if practicable, so notify the soldier at least thirty days prior to discharge, and shall at the same time notify the Adjutant General, who will, if requested in writing by the soldier, convene a board of officers, three if practicable, to

determine whether the soldier's service has been honest and faithful. The finding of the board, when approved by the convening authority, shall be final.

§ 40. An enlisted man may be discharged without honor: (a) without trial, on account of fraudulent enlistment; (b) without trial, on account of having been disqualified for service, physically or in character, through his own misconduct; (c) on account of imprisonment under sentence of civil courts; (d) when the service has not been honest and faithful; (e) when especially ordered by the Governor for any other reason.

§ 41. A dishonorable discharge shall be given only by sentence of a general court martial approved by the Governor.

§ 42. Upon satisfactory proof of the loss of a discharge certificate or its destruction without the fault of the person entitled to it, the Adjutant General may cause to be issued to such person a certificate of service, showing date of enlistment and discharge from the military service and character given on the original discharge certificate.

§ 43. Any soldier of the National Guard who shall refuse or neglect to obey the orders of his commanding officer, or of any officer or non-commissioned officer, issued as provided in this act, or who shall hinder, interfere with or prevent any other soldier from performing any duty under such order, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding one hundred dollars ($100.00) or by imprisonment in the county jail for not exceeding thirty days, or by both such fine and imprisonment.

§ 44. Upon affidavit and complaint being filed with any county judge, police judge or magistrate, by any officer of the Kentucky National Guard, any soldier of the Kentucky National Guard who shall fail or refuse to obey any lawful order of any officer or non-commissioned officer placed over him, or shall violate any law, rule or regulation governing the Kentucky National Guard, or shall absent himself from any

drill, assembly for instruction, encampment, inspection, or other duty or service which he may have been ordered to attend, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding fifteen dollars ($15.00), or imprisoned in the county jail not exceeding fifteen days, or both so fined and imprisoned. No appeal shall lie to any court from any conviction under this section, but a conviction or acquittal in any civil court shall bar a prosecution for the identical offense in any military court. The jurisdiction of general courts martial and summary courts shall not be affected by this law, further than to allow any commissioned officer of the Kentucky National Guard to begin any prosecution he may see fit against any enlisted man in any of the civil courts herein mentioned.

§ 45. Except when in the service of the United States, officers and enlisted men, when employed in active field service of the State, as provided and defined in this act, beginning with the day they assemble at their armories or other designated place until the day they return thereto and have been properly relieved, inclusive, fractional parts of a day counting as a full day, shall receive pay at the following daily rates:

Major General	$12.00	Warrant Officer	$ 3.50
Brigadier General	10.00	Master Sergeant	3.00
Colonel	8.00	Technical Sergeant	2.75
Lieutenant Colonel	7.00	First Sergeant	2.50
Major	6.00	Staff Sergeant	2.25
Captain	5.00	Sergeants	2.00
First Lieutenant	4.50	Corporal	1.75
Second Lieutenant	4.00	Privates	1.50

and in addition thereto actual and necessary cost of transportation, when such transportation is not furnished in kind. Officers shall be allowed a flat per diem of three dollars ($3.00) per day in lieu of quarters and subsistence, when such quarters and subsistence are not furnished in kind. Enlisted men shall receive subsistence in addition to the pay and transportation provided above.

§ 46. For duty at all encampments ordered by the Governor, except when authorized and paid by the Federal Government, each commissioned officer and enlisted man shall receive the pay and allowances provided in this act, except that members of rifle teams or other teams of officers and men competing in any competition for which they may volunteer shall not receive pay as provided in this act, but may receive actual and necessary expenses, including transportation and subsistence.

§ 47. For service and attendance upon general courts martial, courts of inquiry and boards appointed by the Governor as member, judge advocate, recorder or witness, or upon inspection or other duty ordered by the Governor, officers and enlisted men, when not engaged on duty for which pay is provided, shall receive the same pay and allowances as is provided for other active duty service.

§ 48. General courts martial, courts of inquiry and boards, convened by order of the Governor, may require the attendance of civilian witnesses by the issuance and service of subpoenas in the same manner as is provided in the laws of this State for courts of record. The same fees and allowances shall be paid such witness as are provided in the laws of this State for civil courts, and shall be paid by the Adjutant General out of State funds upon vouchers therefor certified to by the president of the court or board.

§ 49. (e) A member of the National Guard who shall, when on duty or assembled therefor, in case of riot, tumult, breach of peace, insurrection or invasion or whenever ordered by the Governor, or called in aid of the civil authorities, receive any injury or incur or contract any disability or disease by reason of such duty or assembly therefor, or who shall without fault or neglect on his part be wounded or disabled while performing any lawfully ordered duty, which shall incapacitate him from pursuing his usual business or occupation, shall receive the pay provided by this law and actual necessary expenses for care and medical attention during

the period of such incapacity not exceeding ninety days from the date of receiving the injury or of incurring or contracting the disease or disability. Where a claim is made under this section, the Adjutant General may cause examinations of the claimant to be made from time to time by a medical officer or officers designated by him, and he may direct the removal of the claimant to and his treatment in a hospital designated by the Adjutant General, and if the claimant refuse to permit such examination or if he refuse to go to such hospital or to follow the advice given or treatment prescribed for him therein, he shall forfeit and be barred from all right to any claim, pay or allowance under this section.

(b) The body of an officer or enlisted man, who dies while in active field service or on active duty while his command is absent from its home station, shall, under the direction of his commanding officer, be properly prepared for burial, enclosed in a suitable casket, and escorted to his late residence by a proper escort; provided, that the cost of embalming and preparing the body for burial and cost of casket combined shall not exceed the sum of one hundred dollars ($100.00). The cost of such preparation for burial and casket and escort shall be a proper charge against the State and shall be paid from the treasury on properly certified and approved vouchers.

§ 50. If an enlisted man wilfully, maliciously, purposely or through carelessness or neglect permits any of the arms, utensils, clothing, bedding, or other equipment issued to him, being public property or belonging to the State or to the United States, to become lost, damaged or in any other manner unfit for its proper use, the commanding officer of his company, troop, battery or other organization shall charge the value of such article or articles against the pay of the enlisted man, and it shall be collected on such forms and under such regulation as may be prescribed.

§ 51. Payments under the preceding sections shall be made on such forms as directed by and upon voucher approved

by the Adjutant General out of moneys in the treasury, appropriated for that purpose. The necessary commissary and quartermaster stores and medical supplies, transportation for troops in service, transportation and subsistence of organizations of the National Guard representing the State officially on occasions of ceremony within or without the State shall be contracted for by the proper departmental officers and paid for in like manner.

§ 52. The system of tactics and field exercises for the Army of the United States shall be the system of tactics and field exercises for the National Guard of this State.

§ 53. Each company, troop and battery and detachment in the National Guard shall assemble for drill and instruction, including indoor target practice, not less than forty-eight times each year and shall in addition thereto participate in encampments, maneuvers or other exercises, including outdoor target practice, at least fifteen days in each year, unless such company, troop, battery or detachment shall have been excused from participation in any part thereof by the Governor, provided that credit for an assembly for drill shall not be given unless the assembly shall equal or exceed a minimum to be prescribed by the Governor, nor unless the period of actual military duty and instruction participated in by each officer and enlisted man at each assembly at which he shall be credited as having been present shall be of at least one and one-half hours duration and the character of training such as may be prescribed by the Governor.

§ 54. The Governor may order the National Guard, or any portion thereof, to perform military duty of every description and to participate in small arms and gunnery practice and competition in this State, or in any other State or territory, or the District of Columbia, or in any fort, camp or reservation of the United States therein, and he may authorize the performance of military duty or participation in small arms or gunner competition by any part of the National Guard anywhere without the State or without the United States.

§ 55. The National Guard shall be provided by the State with such arms, equipment, colors, camp and garrison equipage, books of instruction and of record, and other supplies, as may be necessary for the proper performance of the duty required by this law; and each command shall keep such property in proper repair and in good condition. The National Guard shall, as far as practicable, be uniformed, armed and equipped with the same type of uniforms, arms and equipment as are, or shall be, provided for the Regular Army, and no organization of the National Guard shall be furnished by the State with any other type of uniforms, arms, or equipment than are, or may be, furnished by the United States to the members of the Regular Army.

§ 56. Every commissioned officer shall provide himself, at his own expense, with the arms, uniforms and equipment required to be worn by officers of the Regular Army of the United States.

§ 57. Every officer and enlisted man to whom public property has been issued shall be personally responsible to the State for such property, and no one shall be relieved from such responsibility, except it be shown to the satisfaction of the Governor that the loss or destruction of such property was unavoidable and in no way the fault of the person responsible for same. In all other cases the value of the property lost or destroyed in the amount determined by a surveying officer or a board, as herein provided, shall be charged against the person at fault or with the concurrence of its commanding officer to the command to or for which it has been issued, and, if not relieved from such charge by the Governor, it shall be an indebtedness from such person or command to the State.

§ 58. Any person who shall wear any uniform, or any device, strap knot, or insignia of any design or character used as a designation of rank, grade or office, such as by law or by general regulation is prescribed for the use of the Kentucky National Guard, except a member of the Army and Navy of the United States, the National Guard of this or any other

State, members of associations wholly composed of soldiers honorably discharged from the service of the United States, or any State, and the faculty and students of educational institutions, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) at the discretion of the court or jury.

§ 59. The military shall be, at all times and in all cases, in strict subordination to the civil power.

§ 60. The officers and enlisted men of the Kentucky National Guard shall be exempt from jury service.

§ 61. Such officers as may be designated by the Governor shall execute proper bond to the State of Kentucky, in such sum as the Governor may prescribe, and no officer shall be relieved of any bond he may have executed, nor shall his surety be relieved, nor shall his estate be effected in any way, by resignation, discharge, change in official position, or death, until final settlement of all his accounts has been made and a certificate of such settlement issued by the Adjutant General. The Adjutant General shall, if possible, obtain a surety company bond or bonds, running to the State of Kentucky, covering such officers as are designated to be bonded, and the premium or premiums on said bond or bonds shall be paid the State military fund; otherwise such officer shall execute personal bond with good and approved surety running to the State of Kentucky. Should any officer fail to qualify by furnishing the prescribed bond within fifteen days after his appointment, or to renew same within fifteen days after the original bond shall expire, the office shall be deemed vacant and shall be so declared to be vacant.

§ 62. Every armory, drill hall, stable or parts of buildings or grounds occupied or used by the Kentucky National Guard for military purposes shall, during the period of its occupancy for such purposes, be under the control of the commanding officer so using same, and any person who intrudes

or enters therein contrary to his orders, or who molests or obstructs the troops, or any of them, so occupying such premises, shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not exceeding one hundred dollars ($100.00); and it shall be lawful for such officer to arrest such person and turn him over to the civil authorities for trial.

§ 63. All articles of military property furnished for the use of the several organizations of the Kentucky National Guard shall be kept in the armory or storerooms of the command, except when in use for authorized military purposes. No article of military property shall be used for other than authorized military purposes.

§ 64. No officer or soldier shall wear, or use, or have in his possession, except for authorized military purpose, or by special permission of his commanding officer, any uniform or part thereof, or any other article of military property belonging to the State or the United States; and any officer or soldier violating any provision of this section shall, upon conviction, be punished therefor by imprisonment in the county jail not exceeding thirty days, or by a fine not exceeding fifty dollars ($50.00), or by both such fine and imprisonment.

§ 65. If any person shall receive, conceal, or aid in concealing, or have or retain in his possession with intent to convert to his own use or gain any property, record, voucher or valuable thing whatsoever pertaining to the military establishment of the State, and belonging to the State or the United States, which has theretofore been embezzled, stolen or purloined from the State by any other person, knowing the same to have been so embezzled, stolen or purloined, such person shall be deemed guilty of a felony, and on conviction shall be confined in the penitentiary for not less than one nor more than three years; and such receiver may be tried either before or after the conviction of the principal felony but, if the party has been convicted, then the judgment against him shall be conclusive in the prosecution against such receiver that the

property of the State or of the United States herein described has been embezzled, stolen or purloined.

§ 66. The clothes, arms, military outfits and accoutrements furnished by the United States, through the agency of the State, to any officer or soldier of the Kentucky National Guard shall not be sold, bartered, exchanged, pledged, loaned or given away; and no person, not a soldier or duly authorized officer of the State, who has possession of any such clothes, arms, military outfits or accoutrements so furnished, and which have been the subject of any such barter, exchange, pledge, loan, or gift, shall have any right, title or interest therein, but the same may be seized and taken wherever found by any officer of the State, civil or military, and shall thereupon be delivered to the Adjutant General of the State or other officer authorized to receive the same. The possession of such clothes, arms, military outfits or accoutrements by any person not a soldier or officer of the State shall be presumptive evidence of such a sale, barter, exchange, pledge, loan or gift.

§ 67. No officer or enlisted man shall be arrested on civil process, except in case of a felony, while going to, remaining at, or returning from a place where he is ordered to attend for military service or duty.

§ 68. Officers and enlisted men of the Kentucky National Guard while in active field service, going to or returning from any parade, encampment, drill or meeting which they may be required by law to attend, shall, together with their vehicular conveyances, animals and military property of the State or the United States in their custody, be allowed to pass free through toll gates and over all interstate and intra-state toll bridges and ferries, if they be in uniform or present a written order signed by an officer of the Kentucky National Guard.

§ 69. Any person, master or keeper of a toll gate, toll bridge or ferry, or any person in charge thereof, who wilfully hinders or delays any member of the National Guard or refuses free passage to any such member going to or returning

from any parade, encampment, drill or meeting which he may be by law required to attend, or wilfully hinders, delays or refuses free passage to any conveyance or military property of the State in charge of a member of said National Guard, is guilty of a misdemeanor, and shall be fined for each offense not exceeding the sum of twenty-five dollars ($25.00).

§ 70. It shall be unlawful for any body of men whatsoever other than the National Guard of this State and the troops of the United States to associate themselves together as a military company or other armed organization, or to drill or parade with arms anywhere within the State without the license of the Governor therefor, which license of the Governor may at any time be revoked; provided, that nothing herein contained shall be construed to prevent benevolent or social organizations from wearing swords or students in educational institutions, chartered under the laws of the State, wherein military science is part of the course of instruction, from drilling and parading with arms in public, under the superintendence of their instructors. Whoever offends against the provisions of this section, or belongs to or parades with any such unauthorized body of men with arms, shall be punished by a fine of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00), or imprisoned in the county jail for a term not exceeding six months, or both.

§ 71. A person who, either by himself or with another, wilfully deprives a member of the National Guard of his employment, or prevents his being employed by himself or another, or obstructs or annoys said member of said National Guard, or his employer, in respect of his trade, business or employment because said member of the National Guard is such member, or dissuades any person from enlistment in the said National Guard by threat of injury to him in case he shall so enlist in respect of his employment, trade or business, is guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00), or by imprisonment in the county jail not less than ten (10) days, nor more than fifty (50) days, either or both, at the discretion of the court and jury.

§ 72. No associaion or corporation, constituted or organized for the purpose of promoting the success of the trade, employment or business of the members thereof, shall by any constitution, rule, by-law, resolution, vote or regulation, discriminate against any member of the National Guard of the State of Kentucky because of such membership in respect to the eligibility of such member of the National Guard to membership in such association or corporation, or in respect of his right to retain said membership; it being the purpose of this and the preceding section to protect a member of the said National Guard from disadvantage in his means of livelihood and liberty, but not to give him any preference or advantage on account of his membership in said National Guard. A person who aids in enforcing any such provision against any member of the said National Guard with the intent to discriminate against him because of such membership is guilty of a misdemeanor, and shall be punished as provided in the preceding section.

§ 73. The military courts of this State for the National Guard, not in the service of the United States, shall be:

(a) Courts of inquiry.

(b) General courts martial.

(c) Special courts martial.

(d) Summary courts martial.

They shall be constituted like and have cognizance of the same subjects and possess like power, except as to punishments, as similar courts provided for by the regulations and laws governing the Army of the United States, and the proceedings of courts martial of the National Guard shall follow the forms and modes of procedure prescribed for said similar courts in the Regular Army. The sentences of all courts martial shall be carried into effect upon the approval of the convening authority, which shall have power to remit or mitigate any sentence.

§ 74. Courts of inquiry shall consist of from one to three officers of at least equal grade with the officer, or with the senior officer if there be more than one, in regard to whom the court is ordered, and may be ordered by the Governor or by his direction by the Adjutant General, to examine into the nature of any transaction of or accusation or imputation against any officer or soldier, or of any happening, occurrence or condition which may affect the National Guard or its efficiency or welfare. The Court shall, without delay, report to the officer ordering it, the evidence adduced, a statement of the facts and, when required, an opinion thereon. Any officer may request a court of inquiry.

§ 75. General courts martial of the National Guard may be convened by order of the Governor, and such courts shall have the power to impose fines not exceeding two hundred dollars ($200.00); to sentence to confinement not exceeding eight months; to sentence to forfeiture of pay and allowances; to a reprimand; to dismissal or dishonorable discharge from the service; to reduction of non-commissioned officers to the ranks; or any two or more of such punishments may be combined in the sentences imposed by such courts.

§ 76. The commanding officer of each garrison, fort, post, camp or other place, brigade, regiment, detached battalion or other detached command, may appoint special courts martial for his command, but such special courts martial may in any case be appointed by superior authority when by the latter deemed advisable. Special courts martial shall have power to try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the military laws of the State of Kentucky or the United States, and such special courts martial shall have the same powers of punishment as do general courts martial, except that fines imposed by such courts shall not exceed one hundred dollars ($100.00).

§ 77. The commanding officer of each garrison, fort, camp, post or other place, regiment or corps, detached battalion, company, troop, battery, or other detachment of the

National Guard, may appoint for such place or command a summary court to consist of one officer, who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of military laws; and said court may impose fines not exceeding twenty-five ($25.00) dollars for any single offense; may sentence non-commissioned officers to reduction to the ranks; may sentence to forfeiture of pay and allowances. The proceedings of such court shall be informal and the minutes thereof shall be the same as prescribed for summary courts of the Army of the United States.

§ 78. All courts martial of the National Guard, including summary courts, shall have the power to sentence to confinement in lieu of fines authorized to be imposed; provided, that such sentences of confinement shall not exceed one day for each dollar of fine authorized; provided, further, that no sentence of confinement imposed by a summary court shall be carried into effect until the sentence shall have been approved by an officer of field grade.

§ 79. An accused appearing before a general court martial or summary court shall have the right to be represented by counsel; such counsel may be a commissioned officer of the Kentucky National Guard or any duly licensed lawyer in the State of Kentucky.

§ 80. No sentence of dismissal from the service or dishonorable discharge imposed by a National Guard court martial shall be executed until approved by the Governor of the State of Kentucky.

§ 81. Presidents of courts martial, courts of inquiry and military boards, and summary court officers shall have power to issue warrants to arrest, or cause to be arrested, accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court, a copy of the charge or charges having been delivered to the accused with such order, and to issue subpoenas, duces tecum, and to

enforce by attachment attendance of witnesses, and the production of books and papers. The refusal of a witness to appear in answer to a subpoena, to be sworn or to answer, shall be a contempt of said court and shall be punishable by a fine of not to exceed thirty dollars ($30.00), which may be imposed by such court or board.

§ 82. All processes and sentences of said courts shall be executed by sheriffs or other civil officers of the State of Kentucky, and it shall be the duty of such officers to execute all such processes and sentences and make return thereof to the officer issuing or imposing the same. Upon failure of any such officer to execute such processes and sentences, they shall be guilty of a misdemeanor and subject to a fine of not exceeding twenty-five dollars ($25.00) for each offense.

§ 83. Any jail or prison of the State shall be used as a place of imprisonment or detention for any person convicted and sentenced to imprisonment or detention of any person convicted and sentenced to imprisonment by a court martial or summary court, and every jailer or warden shall, upon notification by authority approving the sentence, receive and confine each person so convicted, and shall carry into execution the sentence of such court martial or summary court as if they were the directions and orders of properly constituted civil authorities, ordering the confinement of persons for criminal offense. The cost of imprisonment or detention shall be a proper charge against the county in which the prisoner is confined, and shall be paid for at the same rate as those prescribed for the detention of other prisoners in the county jail. The authority which has designated the place of confinement may change the place of confinement of any prisoner under the jurisdiction of such authority.

§ 84. The Acts of the General Assembly of Kentucky adopted at its 1924 session, creating the Armory Commission of Kentucky and providing armories for the Kentucky National Guard, and which was approved March 15, 1924, and which is now in effect, shall continue in effect and none of its

provisions are abridged or abrogated by this law or any of its sections.

§ 85. The Adjutant General shall for his services receive an annual salary of three thousand, six hundred dollars ($3,600.00) out of the State treasury, payable in equal monthly installments.

§ 86. The Assistant Adjutant General shall for his services receive an annual salary of one thousand, eight hundred dollars ($1,800.00) out of the State treasury, payable in equal monthly installments.

§ 87. The compensation of other officers and employees in the Military Department shall be fixed by the Adjutant General with the approval of the Governor.

§ 88. Before entering upon the duties of his office the Adjutant General shall be required to execute bond running to the Commonwealth of Kentucky in the sum of ten thousand dollars ($10,000.00), conditioned upon the faithful performance of his duties as Adjutant General.

§ 89. Before entering upon the duties of his office the Assistant Adjutant General shall be required to execute bond running to the Commonwealth of Kentucky in the sum of five thousand dollars ($5,000.00), conditioned upon the faithful performance of this duties as Assistant Adjutant General.

§ 90. The Adjutant General shall have the power to require such officers and employees in the Military Department to execute bonds running to the Commonwealth of Kentucky in such sums as he may think reasonable to properly safeguard the interests of the Commonwealth, considering the responsibilities and the duties which such officers or employees are required to perform.

§ 91. When said bonds given by the Adjutant General, Assistant Adjutant General and other officers and employees

in the Military Department are surety company bonds, then the cost of the premiums on said bonds shall be a proper charge against the Military Fund, and said premiums shall be paid out of said fund by vouchers approved by the Adjutant General.

§ 92. Officers of the Kentucky National Guard when ordered on active duty by the Governor shall have the same right to carry arms, and in the same manner, as sheriffs and other peace officers of the Commonwealth are now permitted and authorized by law to do.

§ 93. Organizations, officers and enlisted men of the Kentucky National Guard who are or may be hereafter Federally recognized and authorized to receive Federal pay, arms and equipment shall be in Active Service within the meaning of this Act. Troops of the Kentucky National Guard ordered into service as prescribed in this Act for the enforcement of the law and for the preservation of the peace and security of the rights and lives or property of citizens shall be deemed to be in Active Field Service. Officers employed under orders of the Governor in making tours of inspection, mustering in or mustering out troops making surveys of military property, sitting on courts martial, summary courts, efficiency boards, courts of inquiry or boards of officers, shall be deemed to be in Active Field Service. Orders in every case shall state if pay and travel are allowed and the expenses allowed.

§ 94. A person who excludes from the equal enjoyment of any accommodation, facility or privilege furnished by innkeepers or common carriers, or by owners, managers or lessees of theaters or other places of amusement, or resort, any person lawfully wearing the uniform of the Army, Navy or Marine Corps of the United States because of that uniform, is guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00), or by confinement of not less than ten days nor more than sixty days, or both in the discretion of the court or jury.

§ 95. That no red or black flag nor any banner, ensign or sign having upon it any inscription opposed to organized government, or which is sacrilegious, or which may be derogatory to public morals, shall be carried in parade within this State or displayed upon any street or building therein; and it shall be unlawful to display the flag of any anarchistic society upon any public or private building or to carry or display such flag in any street procession or parade within this State. Nothing in this Act shall apply to any pennant of any university, college or other recognized institution of learning.

§ 96. Whoever levies war against this State or the United States or knowingly adheres to the enemies of either, giving them aid and comfort, is guilty of treason against the State of Kentucky and shall be imprisoned in the penitentiary for life.

§ 97. Whenever the National Guard of this State shall be called into active service by the Governor for any purpose, requiring the service of members thereof who may be students in any institution of learning within the State, no teacher, professor, principal or president of any such institution shall discriminate against any such student by reason of such absence, but shall credit him with all academic work accomplished to the date of such absence.

§ 98. The Adjutant General or such officers as the Governor may designate shall inspect at least once in each year, or oftener if the Governor deems it necessary, all headquarters, arsenals, storehouses, armories, organizations and all military property belonging to the State and military property that has been issued to the State by the United States, and such inspector or inspectors, shall render a detailed report to the Adjutant General of the condition of same.

§ 99. Officers and enlisted men of the National Guard ordered into active service of the State by proper authority shall not be liable civilly, or criminally, for any act, or acts, done by them in pursuance of duty in such service.

§ 100. Each regiment and separate battalion may have a council of administration, composed of its officers, which shall be charged with the care and control of the fiscal affairs of the organization, may adopt suitable by-laws, effective on the approval of the Governor, and may elect not more than twenty-five honorary members for each company, battery, troop or equivalent unit; said honorary members to be entitled to exemption from jury service, upon their payment annually, or oftener, as the council shall so determine, of a sum not less than fifty dollars ($50.00); and the money thus obtained shall be for the use of the regimental or battalion fund, to be expended by the commanding officer in such manner as, in his judgment, the interests of the organization require. Each unit not under the control of a regimental or battalion council of administration may also have a council of administration, composed of its officers, and it shall have the same powers as prescribed herein for a regiment and separate battalion.

§ 101. All acts or parts of acts in conflict herewith are to the extent of such conflict hereby repealed.

§ 102. If any section, subsection, sentence, clause or phrase of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, as it is the intention of the General Assembly in the enactment of this Act to enact each and every section separately and independently of each other.

§ 103. Whereas it is important for the betterment of the Military Department of the State for this Act to take effect immediately, an emergency is hereby declared to exist and this Act shall be effective upon its passsage and approval by the Governor.

COMMITTEE REPORTS

Senator Dawson of the Committee on Roads and Highways, to which had been referred bills of the following titles:

S. B. 330. An Act to amend Chapter 203 of the Acts of the General Assembly of 1926, which is under Section 5346t-17-2, of Carroll's 1930 Kentucky Statutes relating to roads and highways, and establishing and creating road project No. 144.

S. B. 383. An Act to amend and re-enact Chapter 18, page 526 of the Acts of the General Assembly of 1924, now Kentucky State road project No. 80, by adding the words "Haddock's Ferry" just before the word Calvert City in said original act, so that when same is amended and re-enacted it will reads as follows:

S. B. 325. An Act to repeal and re-enact Chapter 118 of the Acts of the General Assembly of 1922, relating to roads and highways.

S. B. 352. An Act establishing as part of the primary system of State Highways a road beginning at Denver, Johnson County, Kentucky, running down Jennie's Creek to Line Branch; up Line Branch to Rockhouse Branch, thence down Paint Creek to Harry Davis Farm intersecting with Route No. 40.

S. B. 357. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 358. An Act establishing as part of the primary system of State Highways beginning at the junction of Washington and Jefferson Streets in the town of Burlington, Boone County, Kentucky, thence in a southerly direction to what is known as the Tanner road where it intersects the Burlington and Union Road; thence in a southerly direction to State Highway No. 42, known as the Florence and Louisville Road about one mile north of the town of Union.

S. B. 373. An Act establishing a primary road project from Pleasant Ridge via Red Hill and Utica to Gilpenville.

S. B. 375. An Act to amend Section 1, project No. 373, Chapter, 315, page 675 of the Acts of the General Assembly of 1928, now project No. 373, under Section 4356t-5, page 2253 Road Projects of Carroll's Kentucky Statutes, 1930 Edition, relating to establishing a system of State Highways and providing for their construction and maintenance.

S. B. 389. An Act to establish a Primary Road project to be known as project No. — beginning at J. Wilson's Store at the mouth of Island Creek in Owsley County on project No. 11, and running up Island Creek by way of Island City at Brewers Store on Sturgeon Creek in Owsley County and intersecting with Booneville-Tyner-East Bernstadt Road Project No. —.

S. B. 390. An Act to establish a Primary Road project to be known as Project No. — beginning at the Pendergrass Farm near Pleasant Hill School on State Project No. 52 in Owsley County and running by way of Tonny Quillens Farm, by way of Benson Post Office, Travelers Rest Post Office and intersecting with Booneville-East Bernstadt Road at or near New Hope in Owsley County.

S. B. 391. An Act to establish a primary Road Project to be known as Project No. — beginning at the mouth of Road Run on State Project No. 11, in Clay County, Kentucky, thence up Buffalo Creek to the forks, thence up the lefthand fork to the head of Squabble Creek and down Squabble Creek to Buckhorn.

S. B. 396. An Act relating to roads and highways, and describing and establishing a project to be added to the State Highway system of roads and highways running from State Highway No. 52 at or near the top of Hatton Hollow Hill, via Evelyn and up Rosses Creek to Gentrys store and thence via the Old Orchard and the Farmer Ridge to Stone Coal Church and thence following substantially the county road via Delvinta School to Ida May, Lee County.

S. B. 408. An Act establishing as a part of the primary

system of State roads and highways, a road leading from Elmer Carters Store in Edmonson County, via Straw and Dickeys Mill to Cub Run.

S. B. 404. An Act establishing as a part of the primary system of State Highways a road beginning at Glasgow Junction and running thence via the old Mammoth Cave railroad line to Mammoth Cave.

S. B. 398. An Act to create and establish certain Road projects to be a part of the Primary road system of the Commonwealth of Kentucky.

Reported said bills with expression of opinion that same ought to pass.

Senator Gates F. Young of the Committee on Banks and Trust Companies, to which had been referred a bill of the following title:

S. B. 244. An Act amending Section 579, Kentucky Statutes, Carroll's 1930 Edition, relating to banks and banking, and empowering banks, trust companies, and combined banks and trust companies to pledge certain assets as security for public funds of the United States, State, municipal, county, public schools, taxing districts, and other public funds.

Reported with expression of opinion that same ought to pass.

Senator Gates F. Young of the Committee on Banks and Trust Companies, to which had been referred a bill of the following title:

H. B. 672. An Act to amend and re-enact an Act of the General Assembly of the Commonwealth of Kentucky of 1932, known as House Bill No. 245, approved by the Governor on February 2, 1932, and entitled "An Act to amend and re-enact Section 4693 Carroll's Kentucky Statutes, relating to depositories."

Reported with expression of opinion that same ought to pass.

Senator Mehler of the Committee on Municipalities, to which had been referred a bill of the following title:

H. B. 207. An Act to repeal and re-enact Section 3051 of the Kentucky Statutes, 1930 Edition, relating to annexation by cities of the second class.

Reported with expression of opinion that same ought to pass.

Senator Jacobs of the Committee on Criminal Law, to which had been referred a bill of the following title:

S. B. 399. An Act relating to intoxicating liquor and to repeal section 2554a-18 Kentucky Statutes, 1930, Carroll's Edition, being section 18 of Chapter 33 of the Acts of 1922.

Reported with expression of opinion that same ought to pass.

Senator Jacobs of the Committee on Criminal Law, to which had been referred a bill of the following title:

H. B. 218. An Act relating to intoxicating liquors and to repeal Section 2554a-17, Kentucky Statutes, 1930, Carroll's Edition, and being section 17 of Chapter 33 of Acts of 1922.

Reported with expression of opinion that same ought to pass.

Senator Hamilton of the Committee on University and Normal Schools, to which had been referred a bill of the following title:

S. B. 351. An Act to authorize the State Librarian to furnish without cost to the Library of the University of Ken-

tucky certain duplicate public documents and books when authorized by the trustees to do so.

Reported with expression of opinion that same ought to pass.

CALENDAR

Senator Gates F. Young moved that the second reading of bills and resolutions at length be dispensed with and that they be read by their titles only.

Said motion was agreed to by a majority of the members elected.

It was ordered that the bills and resolutions be read by their titles only, and placed in Orders of Day.

Said titles to bills are as follows:

H. B. 279. An Act to repeal and re-enact Chapter 76 of the Acts of one thousand nine hundred and thirty entitled, "An Act regulating the transportation by motor vehicles of all officers and employees of the State of Kentucky, excepting the governor and lieutenant governor and providing for the payment of the traveling expenses by motor vehicles of all officers and employees of the State of Kentucky, and providing for the future use and sale of all motor passenger vehicles now owned by the State of Kentucky and repealing all laws and parts of laws provided for the purchase of motor passenger vehicles for use of State officers and employees excepting the governor and lieutenant governor, providing a penalty for a violation thereof and declaring an emergency to exist," and providing for the purchase and operation of motor passenger vehicles for the use of the State Highway Commission of Kentucky and the employees thereof, and declaring an emergency to exist.

S. B. 292. An Act setting out the qualifications of members of boards of education in the Commonwealth of Kentucky.

H. B. 270. An Act to amend and re-enact Chapter 19 of the Acts of 1920, approved by the Governor, March 16, 1920, Entitled "An Act imposing a license tax on Race Tracks at which races are run for purses or prizes under the jurisdiction of the Kentucky State Racing Commission and which license tax is in lieu of all other license, income, excise, special or franchise tax of the State of Kentucky, or any county, city, town, municipality or other political subdivision thereof."

S. B. 400. An Act to provide for the appointment of a County Superintendent of Schools in counties containing cities of the first or second classes, and describing his term of office, qualifications, duties and salary, and repealing all laws and parts of laws in conflict herewith.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 355. An Act repealing and re-enacting Chapter 107 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1926 session, same being Sections 165-1 to 165-8, inclusive, of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922 Edition, and also repealing and re-enacting Chapter 11 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1930, same being Sections 165-9 to 165-24, inclusive, Baldwin's 1931 Kentucky Statute Service, Carroll's Kentucky Statutes. Said Acts hereby repealed relate to the creation of an Air Board for Kentucky; provide the number, qualifications, term, powers and other matters relating to said Board; provide for the creation of airports, buildings and facilities; provide for the licensing and registration of air men and aircrafts; authorizing the members of said Board to employ the necessary personnel, and to empower the Air Board of Kentucky to enforce laws relating to aviation.

The Committee proposed the following amendment to said bill:

Amend Senate Bill No. 355 so that Section 2 thereof will read as follows:

2. This Air Board shall provide air ports and air routes together with the necessary equipment, markings, personnel, etc., for the State of Kentucky as best suits the interests and future of aviation, both commercial and military, and for such purposes shall be charged with the administration and expenditure of the Air Fund provided for by the biennial Appropriation Act.

Senator Brock moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative.

Said amendment was adopted.

Senator Yates proposed the following amendment to said bill:

Amend Senate Bill No. 355 Section 1, page 2, lines 11 and 12 shall read as follows: The Air Board of Kentucky the members of which shall be the Governor, Lieutenant-Governor, the Adjutant General, and two other members be appointed by the Governor.

Senator Yates moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative.

Said amendment was adopted.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 107 of the Acts of the General Assembly of the Commonwealth of Kentucky, enacted at the 1926 session, same being sections 165-1 to 165-8 inclusive, of Baldwin's 1930 Supplement to the Kentucky Statutes, Carroll's 1922

Edition, and also Chapter 11 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1930, same being Sections 165-9 to 165-24, inclusive, Baldwin's 1931 Kentucky Statute Service, Carroll's Kentucky Statutes, be and the same are hereby repealed and re-enacted so that as re-enacted said laws shall read as follows:

Section 1. There is hereby created a body corporate to be known as the Air Board of Kentucky, the members of which shall be the Governor, ex-officio, the Adjutant General and one other member to be appointed by the Governor with the following qualifications:

(a) Holding office at the pleasure of the Governor.

(b) Male, white, and at least twenty-five (25) years of age.

Said Board may, in its corporate name, sue and be sued, contract and be contracted with, acquire real and personal property by gift, purchase or condemnation; and may do all things and exercise all rights and powers reasonably necessary to carry out and perform the duties required by this Act.

The members of this Board shall serve without compensation when attending meetings of the Board but shall be allowed reasonable expenses so incurred. The members shall be allowed reasonable expenses and a per diem of five dollars per day when upon duty in connection with the business of the said Board.

Said Board shall hold regular meetings at the State Capitol at Frankfort, Kentucky, on the first Mondays in January and July of each year and special meetings at the call of the Governor, after due notice. A majority of the members shall constitute a quorum for the consideration of business but an affirmative vote of the majority of all members shall be required for all contracts and agreements creating liabilities or indebtedness.

In the absence of the Governor or Adjutant General the Lieutenant Governor or Assistant Adjutant General may act for them respectively.

§ 2. This Air Board shall provide air ports and air routes together with the necessary equipment, markings, personnel, etc., for the State of Kentucky as best suits the interests and future of aviation, both commercial and military, and for such purposes shall be charged with the administration and expenditure of the Air Fund hereinafter provided.

§ 3. The Air Board may, either alone or in cooperation with counties, cities, or incorporated towns, private corporations, voluntary unincorporated associations or individuals, construct or acquire by purchase, contract, lease, donation or condemnation, air ports, buildings and grounds suitable for air port purposes and the proper safeguards to flying and to make additions and improvements in or to such air ports and facilities and either alone or with like cooperation of others, provide personnel, heat, light, water, fuel, telephone service, drainage, runways, fueling facilities, and other costs of operation and maintenance, including insurance, and further to bear the expenses of removal or change of such obstructions as shall exist to menace air travel.

§ 4. The Air Board of Kentucky shall be attached to and be a part of the Military Department of Kentucky. In addition to his other duties the Adjutant General of Kentucky shall be executive officer of the Department of Aviation, shall be responsible to the Governor for the proper functioning of said Department, and shall audit and approve any vouchers issued against the funds of the Air Board before same shall be allowed by the Auditor.

§ 5. In this Act "aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air, except a parachute or other contrivance designed for such navigation, but used primarily as safety equipment. "Operating aircraft" means performing the services of aircraft pilot.

§ 6. The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that aircraft operating within the State should conform with respect to design, construction and airworthiness to the standards prescribed by the United States Government with respect to navigation of aircraft subject to its jurisdiction, it shall be unlawful for any person to navigate an aircraft within the State unless it is licensed and registered by the Department of Commerce of the United States in the manner prescribed by the lawful rules and regulations of the United States Government then in force.

§ 7. The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that a person engaging within this State in navigating the aircraft described in Section 6 hereof in any form of navigation for which license to operate such aircraft would be required by the United States Government shall have the qualifications necessary for obtaining and holding the class of license required by the United States Government. It shall be unlawful for any person to engage in operating such aircraft within this State in any form of navigation unless he shall have such license.

§ 8. The certificate of the license herein required shall be kept in the personal possession of the licensee when he is operating aircraft within this State, and must be presented for inspection upon the demand of any passenger, any peace officer of this State, or any official, manager or person in charge of any airport or landing field in this State upon which he shall land.

§ 9. The public safety requiring and the advantages of uniform regulation making it desirable, it shall be unlawful for any person to operate any aircraft within this State in any form of navigation whatsoever in violation of the air traffic rules promulgated by the Air Board of the Commonwealth of Kentucky as hereinafter authorized.

§ 10. The Air Board of Kentucky shall, from time to

time, promulgate air traffic rules applicable to the operation of aircraft within the Commonwealth; Provided, however, that such air traffic rules shall be identical with the air traffic rules adopted by the United States Government as nearly as may be and in so far as same are applicable; which said air traffic rules shall be maintained in current conditions by likewise promulgating any amendments which may be made effective by the United States Government.

§ 11. All aircraft and aircraft pilots operating in the State of Kentucky shall be registered with the Air Board of Kentucky in such a manner and such detail as may be prescribed by said Board from time to time. A period not to exceed thirty days after the beginning of operation shall be allowed for such registration, provided, however, that no pilot or aircraft shall operate for hire until such application for registration has been made. And provided further that this shall not apply to transient pilots and aircraft, unless such pilots and aircraft are engaged in temporary exhibitions and carrying passengers for hire from a base within the limits of the Commonwealth of Kentucky, nor to pilots and aircraft operating in interstate commerce and not using a point in Kentucky as a base for any operation. Registration fees for the registration provided for in this section shall be charged for at the rate of five dollars ($5.00) for each aircraft operated in this State, either for hire or otherwise. A registration fee of five dollars ($5.00) shall be charged for all aircraft pilots operating in this State. The registration of aircraft and aircraft pilots shall be caused to be made annually. The certificate of registration, as required in this section, shall be displayed in a conspicuous place on the aircraft or carried in the personal possession of the pilot, as the case may be.

§ 12. All fees collected from the registration of pilots and aircraft under the provisions of this Act shall be paid into the treasury of the Commonwealth of Kentucky for the benefit of the General Expenditure Fund, immediately upon receipt thereof.

§ 13. The Air Board of Kentucky shall cause to be in-

spected all air domes and landing fields of whatsoever nature within the limits of the Commonwealth of Kentucky for the purpose of determining the safety and adequateness of such facilities for the operation of aircraft. It shall be unlawful for any person, firm or corporation to operate any aircraft for hire from any airport or landing field of any nature whatsoever if it has been declared unfit for such operation by the Air Board of Kentucky.

§ 14. Nothing in this Act shall apply to public aircraft of the Federal Government, or of a State, territory, or possession, or of a political subdivision thereof, or to aircraft licenses by a foreign country with which the United States has a reciprocal agreement covering the operation of such licensed aircraft.

§ 15. Any person who violates any provision of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars ($100.00) or by imprisonment for not more than ninety days, or both; provided, however, that acts or omissions made unlawful by this Act shall not be deemed to include any act or omission which violates the laws or lawful regulations of the United States, but it shall be necessary to allege or prove, as part of the case for the people, that the defendant is not amenable, on account of the alleged violation, to prosecution under the laws of the United States. That he is amenable to such prosecution shall be matter of defense, unless it affirmatively appear from the evidence adduced by the people.

§ 16. It shall be unlawful for any person, firm or corporation to navigate, or cause to be navigated, aircraft within this State except in conformity with the rules and regulations laid down by the Air Board of Kentucky and in conformity with this Act.

§ 17. Any person who shall, without the consent of the owner, go upon or enter, tamper with, or in any way damage or injure any aircraft, shall be guilty of a misdemeanor and shall be punished consistent with the laws of the State.

§ 18. The Air Board of Kentucky is hereby empowered to employ a reasonable and necessary personnel, fix their compensation and prescribe their duties. To administer the provisions of this Act and for such purpose, the Board is authorized to make such regulations as are necessary to execute the functions vested in it by this Act.

§ 19. Should any section of this Act be found in conflict with the Constitution of the Commonwealth of Kentucky, such unconstitutionality shall not affect any other section herein.

§ 20. There being urgent need for the promotion of aviation in Kentucky and it being considered that this Act should be placed in effect as soon as possible, an emergency is hereby declared, and this Act shall take effect from and after its passage as required by law.

Ordered that said bill be read the third time.

Senator Ferguson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Edwin C. Dawson	Walter N. Flippin
W. W. Booles	Dr. T. J. Edge	Chas. G. Franklin
H. M. Brock	Thos. C. Ferguson	Perry B. Gaines

Arch Hamilton	Wm. Mehler	J. M. Rose
J. S. W. Holloway	E. C. Moore	R. H. Royster
Robert Humphreys	Ray B. Moss	Joe Stewart
Silas Jacobs	D. C. Naive	Fred C. VanHoose
L. C. Littrell	Marion F. Pogue	Sewell B. Williams
Frank I. Lloyd	Dr. G. W. Ragan	W. A. Yates
Rev. C. D. McCaw	O. M. Rogers	Gates F. Young
C.T.McCormick,Sr.		—31

Resolved that the title thereof be as aforesaid.

Senator Ferguson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of Representatives of the following title:

H. B. 22. Bill to make June 3 "Confederate Memorial Day" a legal holiday.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the third day of June of the year 1932 and the third day of June of each year thereafter is hereby declared a legal holiday, to be known as "Confederate Memorial Day," and the same shall be recognized, classed and treated as other legal holidays under the laws of this State.

Ordered that said bill be read the third time.

Senator Hamilton moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	Marion F. Pogue
W. W. Booles	Silas Jacobs	Dr. G. W. Ragan
H. M. Brock	Alex E. Johnson	O. M. Rogers
Edwin C. Dawson	L. C. Littrell	J. M. Rose
Dr. T. J. Edge	Frank I. Lloyd	R. H. Royster
Thos. C. Ferguson	C.T.McCormick,Sr.	Dr. Lewis Ryans
Walter N. Flippin	Wm. Mehler	E. D. Stephenson
Chas. G. Franklin	E. C. Moore	Joe Stewart
Perry B. Gaines	Ray B. Moss	Sewell B. Williams
Arch Hamilton	D. C. Naive	W. A. Yates

—30

Those who voted in the negative were:

Thos. O. Turner	Fred C. VanHoose	—2

Resolved that the title thereof be as aforesaid.

Senator Hamilton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the Senate of the following title:

S. B. 309. An Act to create the office of District Detective, to the Commonwealth's Attorney, in certain Judicial Districts, composed of two counties, and having a population of 100,000 or more, according to and as established by the 1930 Federal census; providing the method of appointment, his compensation and prescribing his duties and tenure of office.

The Committee on Courts and Legal Procedure proposed the following amendment to said bill:

Amend Senate Bill 309, Section 4, by striking out the entire section and inserting instead of Section 4, the following:

"Section 4. Said District Detective shall receive a salary of twenty-four hundred dollars per year, to be paid monthly by the Fiscal Courts of the counties composing said district. Said salary to be paid out of the county levy of each county and divided equally between said counties. Said Fiscal Courts shall allow and pay said salary monthly."

Senator Brock moved that said amendment be adopted.

The question being taken thereon, was decided in the affirmative.

Said amendment was adopted.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all Judicial Districts, composed of two counties and having a population of 100,000 or more, according to the Federal census of 1930, there is hereby created the office of District Detective, to the Commonwealth's Attorney. Said District Detective shall be appointed by the Common-

wealth's Attorney for a term of four years, subject, however, to be removed at any time, by the Commonwealth's Attorney, without notice or hearing.

§ 2. It shall be the duty of said District Detective, to assist the Commonwealth's Attorney in the preparation of all criminal cases in the courts of said district, and to make investigations of facts and circumstances surrounding any violation of the criminal statutes and to report the same to the Commonwealth's Attorney for such action as said attorney may deem necessary. Said detective shall perform such other duties as the said attorney shall, from time to time, designate and shall make his reports in conformity to the directions of the said attorney.

§ 3. Said detective shall have all the powers of a sheriff and shall make arrests when deemed necessary to protect the public peace or public welfare and shall be and is empowered to administer oaths for the purpose of making investigations ooncerning the violation of any criminal statute and may, if deemed necessary, go beyond the county lines composing his said district, to make investigations and to perform any duty incumbent upon him.

§ 4. Said District Detective shall be paid a salary of not exceeding three thousand dollars, to be fixed by an order to be entered simultaneously with the order appointing said District Detective and spread of record on the Civil Order Book of said court. Said salary shall be paid out of the county levy, in equal monthly installments, and shall be allowed by the Fiscal Court upon the presentation by said detective to said Fiscal Court, of a copy of said Circuit Court order, appointing said detective and fixing his salary therefor.

Ordered that said bill be read the third time.

Senator Brock moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	Dr. G. W. Ragan
W. W. Booles	Alex E. Johnson	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
Robert Humphreys	Marion F. Pogue	W. A. Yates
Wm. Isaacs		—34

Resolved that the title thereof be as aforesaid.

Senator Brock moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 154. An Act authorizing cities of the fourth and fifth classes to provide insurance or maintenance for arresting officers, who may sustain injury, in discharge of official duty, which incapacitates such officer; and, support for

widows and orphans of such officers who lose their lives in discharge of official duty, and provide funds and taxes therefor, and procedure for securing same and determining amounts to be paid; and for trials, and appeals concerning same.

Senator Moss moved that said bill be recommitted to the Committee on Classifications of Cities and Towns.

The question being taken thereon, was decided in the affirmative.

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 116. An Act to amend and re-enact Sections 4645a-3 and 4645a-4, Carroll's Kentucky Statutes, 1930 Edition, relating to stenographic reporters in circuit courts not in continuous session and fixing and providing for the payment of the fees of said stenographic reporters in circuit courts not in continuous session.

Senator Jacobs moved that said bill be recommitted to the Committee on Courts and Legal Procedure.

The question being taken thereon, was decided in the affirmative.

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 36. An Act relating to the licensing of the business or occupation of contracting painting or decorating, in cities of the first and second class and requiring such contracting painter or decorator to obtain permits from said city and

making it the duty of said city to issue permits before doing any painting or decorating and providing penalties for the violation of said Act.

Senator Rogers moved that said bill be recommitted to the Committee on Municipalities with leave to report at any time.

The question being taken thereon, was decided in the affirmative.

Said bill was recommitted.

Senator Ryans moved that the Senate recess until 1:30 o'clock P. M.

Said motion was agreed to.

The Senate reconvened at 1:30 o'clock P. M.

Senator Ryans moved that the privileges of the floor be extended to Messrs. Louis Linny and Jack Morrisy of Danville.

Said motion was agreed to.

Senator Pogue moved that the privileges of the floor be extended to Mr. Ed Van Pelt.

Said motion was agreed to.

Senator Gaines moved that the privileges of the floor be extended to Mr. and Mrs. F. C. Giltner of Eminence.

Said motion was agreed to.

Senator McCormick moved that the privileges of the floor be extended to Messrs. W. E. Rogers, F. C. McElvain and Mrs. E. Beauchamp.

Said motion was agreed to.

Senator Lloyd moved that the privileges of the floor be extended to Mrs. Ray Platt and Mrs. Sam Friedman.

Said motion was agreed to.

Senator Bondurant moved that the privileges of the floor be extended to Mr. and Mrs. Kesler and Mrs. H. Farcher.

Said motion was agreed to.

Senator Brock moved that the privileges of the floor be extended to Messrs. J. I. Day and L. Hays.

Said motion was agreed to.

Senator Gates Young moved that the privileges of the floor be extended to Hon. Garth Ferguson of Paducah.

Said motion was agreed to.

Senator Dawson moved that the privileges of the floor be extended to Messrs. Edward Boone and Chester Young of New Haven.

Said motion was agreed to.

Senator Rose moved that Jacquline Jones be made honorary page.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and

further providing for definition of terms used, enforcement of and penalty for violation of this Act.

Senator Mehler moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of three hundred dollars ($300) or less, secured or unsecured, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest, discount, consideration, or charge than six per centum (6%) per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars ($300) or less, providing for the administration of this Act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and findings of the Banking Commissioner under this Act, and repealing so much of Section 4224A, Carroll's Kentucky Statutes (1930), as applies to persons licensed under this Act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes (1930), and repealing all Acts and parts of Acts in conflict with the provisions of this Act.

Senator Rogers moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 179. An Act enabling cities of the third class to acquire, construct, operate and maintain electric light, heat and power plants and to issue revenue bonds of such cities to pay the cost thereof, payable solely from the revenues of such works without the incurrence of indebtedness of said cities.

Senator Moss moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 176. An Act to repeal Chapter 36 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1930 entitled, "An Act relating to education in this Commonwealth and appropriating money from the general fund of the treasury of the Commonwealth to be used for education purposes in connection with the public school system of this Commonwealth and conferring authority and power upon the State Board of Education to supervise and administer the expenditure of money so appropriated, defining the purpose for which the money so appropriated shall be used, and providing conditions upon which it shall be received; and generally to provide for a more efficient system of public schools in this Commonwealth.

Senator Gaines moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

ENROLLMENT REPORT

Senator Stewart, of the Committee on Enrollment, reported that they had examined and found correctly enrolled, bills and resolutions which originated in the Senate, of the following titles:

H. B. 150. An Act requiring all vehicles travelling any highway, public road or street, to carry lights or lanterns of sufficient brightness to show the outline of the left side of such vehicle, an amendment of Section 2739-G-24, Carroll's Edition of Kentucky Statutes, excepting therefrom wagons, buggies or slow moving vehicles or motorless vehicles while travelling on roads, other than State and Federal or State roads and highways.

H. B. 259. An Act relating to the safe development and operation of minerals; providing regulations for the location of oil and gas wells and the operation and abandonment of same through workable beds of coal; regulating coal mining operations within the vicinity of such wells; defining the respective duties of the owners and operators for said minerals and the State Department of Mines; prescribing full procedure for carrying into effect all the provisions and providing penalties for any violation of this Act; and, repealing all laws or parts of laws in conflict herewith.

H. B. 40. An Act to amend Section 561 of Carroll's Kentucky Statutes, 1930 Edition, being an Act concerning the termination of the existence of corporations, and how such termination is effected.

H. B. 35. An Act authorizing cities of the third class in Kentucky by ordinance to establish groups of its police or fire departments to obtain the advantages of the group plan of life insurance; and to appropriate from the funds of the city in aid thereof any sum annually, not exceeding fifty per cent of the annual premiums on such policies.

Whereupon all other business was suspended; said bills and resolutions were read at length and compared in open Senate, and were found to be correctly enrolled. Thereupon, the President of the Senate, in open session, in the presence of the Senate, affixed his signature to said bills and resolutions.

Ordered that the Enrolling Clerk deliver said bills and resolutions to the House of Representatives.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of Representatives of the following title:

H. B. 166. An Act creating and establishing as a part of the State primary system of roads and highways a road project, leading from U. S. Highway No. 25, near Turkey Creek, via Girdler, to Tom Jones Farm on Big Richland Creek, in Knox County, Kentucky; said road to be known and designated as the "James D. Black Highway."

Senator Moss proposed the following amendment to said bill:

Amend H. B. 166 by substituting the word "was" for "bar" on page 2, line 3.

Senator Moss moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative.

Said amendment was adopted.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky a road beginning on United States Highway No. 25 near where Turkey Creek crosses the same; thence up Turkey Creek to Horn Gap and down Horn Branch by way of the mouth of Payne's Creek and mouth of Calleb's Creek, via Girdler, to the Tom Jones' Farm on Big Richland Creek, in Knox County.

§ 2. The construction, maintenance, supervision and

control of said road shall be subject to the terms provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of roads and highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways of the Commonwealth of Kentucky.

§ 3. Be it further enacted that said road hereby created shall be forever known as the "James D. Black Highway" in memory of Hon. James D. Black, formerly Governor of Kentucky, who was born in the section traversed by this road.

§ 4. The State Highway Commission of Kentucky is directed to assign the "James D. Black Highway" an appropriate number.

Ordered that said bill be read the third time.

Senator Moss moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Thos. C. Ferguson	Robert Humphreys
W. W. Booles	Walter N. Flippin	Silas Jacobs
H. M. Brock	Chas. G. Franklin	Alex E. Johnson
Edwin C. Dawson	Perry B. Gaines	L. C. Littrell
Dr. T. J. Edge	J. S. W. Holloway	Frank I. Lloyd

Wm. Mehler	O. M. Rogers	Thos. O. Turner
E. C. Moore	J. M. Rose	Fred C. VanHoose
Ray B. Moss	R. H. Royster	Sewell B. Williams
D. C. Naive	Dr. Lewis Ryans	W. A. Yates
Dr. G. W. Ragan	Joe Stewart	Gates F. Young

—30

Resolved that the title thereof be as aforesaid.

Senator Moss moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a resolution which originated in the Senate of the following title:

S. Res. 15. Resolution providing for Legislative Digest for members of General Assembly.

Said bill reads as follows:

Be it resolved by the Senate of Kentucky, the House of Representatives concurring therein:

That the publishers of the Legislative Digest are hereby directed to furnish daily a copy to each member and the clerks of the General Assembly, and to the heads of each State Department during the time of this session. That the publishers are allowed the sum of ten dollars for each subscription for the session and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for said amount when such service has been concluded. The total number shall not exceed two hundred copies, which are to be paid for under this resolution.

Ordered that said resolution be read the third time.

Senator Gates F. Young moved that the third reading of

said resolution at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	L. C. Littrell	O. M. Rogers
H. M. Brock	Frank I. Lloyd	J. M. Rose
Edwin C. Dawson	Rev. C. D. McCaw	R. H. Royster
Dr. T. J. Edge	C.T.McCormick,Sr.	Dr. Lewis Ryans
Thos. C. Ferguson	Wm. Mehler	Joe Stewart
Walter N. Flippin	E. C. Moore	Thos. O. Turner
Chas. G. Franklin	Ray B. Moss	Fred C. VanHoose
Perry B. Gaines	D. C. Naive	Sewell B. Williams
Arch Hamilton	Marion F. Pogue	W. A. Yates
Silas Jacobs	Dr. G. W. Ragan	Gates F. Young
Alex E. Johnson		—31

Resolved that the title thereof be as aforesaid.

Senator Gates F. Young moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 303. An Act relating to licensing or taxing ve-

hicles in cities of this Commonwealth of the second, third, fourth, fifth and sixth classes used or let for hire, and used by farmers and manufacturers of farm products and delivered by vehicles not for hire in cities of the second, third, fourth, fifth or sixth classes.

Senator Gaines moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of Representatives of the following title:

H. B. 72. An Act relating to roads and bridges and amending Chapter 398 of the Acts of the General Assembly, 1928, bearing upon Road Project 433, striking from the said road project as set out in said chapter certain directions and points designated in said chapter for said road to pass.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 398 of the Acts of the General Assembly of Kentucky, 1928, bearing upon Road Project 433, as designated in Kentucky Statutes, concerning the points by which said road shall pass, be repealed and same is hereby repealed, and re-enacted, so that it will read when amended as follows: That the road known as the Dresden Road beginning at a point where the Dresden Road intersects with Troy Avenue just outside the city limits of Hickman, Kentucky, and running by the City Cemetery of Hickman, Kentucky, thence in a southeasterly direction by or near Poplar Grove Church, in a southeasterly direction to the N. C. & St. L. Railroad at a point near the Dresden Crossing; thence south on west side of said railroad and parallel with same by the two stores at

State Line Station continuing parallel with said railroad south about one-half mile to a point in the Kentucky-Tennessee State line where the said road connects with the Union City Highway as now surveyed. The entire length of projects approximately seven miles, be and same is hereby established as a part of primary system of State highways of the Commonwealth of Kentucky to be known as State Highway Project No. —.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in the Act establishing and creating a primary system of State highways in the Commonwealth of Kentucky. And the said project shall be entitled to and receive all benefits of such laws as are now, or may hereafter be in effect with relation to the primary system of State highways of the Commonwealth of Kentucky.

All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Whereas, said project as enacted by Chapter 398 and established thereby has been surveyed by the State Highway Commission, properly locating said road as set out in this Act as amended, and whereas bids have been received for the grade and drainage of same, but being held up because said road as surveyed does not comply with the requirements of Act 398, and whereas it will be necessary to pass upon said bill and award said contract within the next few weeks, and whereas the present restrictions in the law will prevent the State Highway Commission from proceeding with said contract, which appears to be advantageous to the State Highway Department, therefore an emergency is declared to exist and this Act shall become effective upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

Senator Humphreys moved that the third reading of said

bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

W. W. Booles	Alex E. Johnson	J. M. Rose
H. M. Brock	L. C. Littrell	R. H. Royster
Edwin C. Dawson	Frank I. Lloyd	Dr. Lewis Ryans
Dr. T. J. Edge	Wm. Mehler	E. D. Stephenson
Thos. C. Ferguson	E. C. Moore	Joe Stewart
Arch Hamilton	Ray B. Moss	Thos. O. Turner
Robert Humphreys	D. C. Naive	Fred C. VanHoose
Wm. Isaacs	Dr. G. W. Ragan	Sewell B. Williams
Silas Jacobs	O. M. Rogers	W. A. Yates

—27

Resolved that the title thereof be as aforesaid.

Senator Humphreys moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 101. An Act to further regulate motor trucks, semi-trailer trucks, semi-trailers, and trailers, to enlarge the powers

of the State Highway Commission, County Courts, and cities and incorporated towns in respect thereof, to provide for enforcement of the act and penalties for violations thereof, and repealing all laws inconsistent therewith.

Senator Holloway moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 1. An Act authorizing, regulating and governing the transportation for compensation of persons and property by motor vehicles on public highways; giving the Railroad Commission of Kentucky jurisdiction over such transportation, with authority to fix rates and exercise other powers in connection therewith; providing for the payment of taxes and fees incident thereto; prescribing punishment and penalties; and repealing all laws in conflict herewith.

Senator Holloway moved that said bill be passed and hold its place in the Orders of the Day.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 29. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and further providing for definition of terms used, enforcement of and penalty for violation of this act.

Senator Mehler moved that said bill be recommitted to the Committee on Labor and Manufacturing.

The question being taken thereon, was decided in the affirmative.

Said bill was recommitted.

The Senate took up for consideration from the Orders of the Day a bill entitled:

H. B. 18. An Act regulating the hours of labor; providing for a prevailing rate of wages; providing preference for employment of citizens of Kentucky on public works; and further providing for definitions of terms used, enforcement of and penalty for the violation of this act.

Senator Holloway moved that said bill be postponed indefinitely.

The yeas and nays, being demanded by Senators Mehler and Van Hoose, resulted as follows:

Those who voted in the affirmative were:

Jas. H. Bondurant	J. S. W. Holloway	E. C. Moore
W. W. Booles	Robert Humphreys	D. C. Naive
H. M. Brock	Silas Jacobs	R. H. Royster
Edwin C. Dawson	Alex E. Johnson	Joe Stewart
Perry B. Gaines	L. C. Littrell	Thos. O. Turner
Arch Hamilton	C.T.McCormick,Sr.	Sewell B. Williams

—18

Those who voted in the negative were:

Dr. T. J. Edge	Frank I. Lloyd	J. M. Rose
Thos. C. Ferguson	Wm. Mehler	Dr. Lewis Ryans
Walter N. Flippin	Dr. G. W. Ragan	Fred C. VanHoose
Chas. G. Franklin	O. M. Rogers	W. A. Yates

—12

Therefore, said bill was postponed indefinitely.

Senator Holloway moved that the vote by which said bill

was postponed indefinitely be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 336. An Act to amend and re-enact Subsection 2a of Section 938e of Carroll's Kentucky Statutes, 1930 Edition, authorizing the County Board of Health in counties embracing cities of the fifth class to contract for hospital facilities and providing for a county levy therefor, so as to extend the provisions of said subsection to counties having a city or cities of the fourth class.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Subsection 2a of Section 938e of Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is amended and re-enacted so that same, when so amended and re-enacted, will read as follows:

"In order to provide money for the maintenance and furnishing of a county hospital in counties having a city or cities of the fourth or fifth class, and in which there is established in such county a "Community Hospital" (that is a non-dividend paying hospital, constructed by donations, or endowment funds) the County Board of Health existing under the laws of this Commonwealth in such county or counties embracing a city or cities of the fourth or fifth class, is hereby authorized and it is hereby made its duty to make and enter into a contract with the governing authority of such "Community Hospital" for hospital facilities for county purposes in such county until such time as a county hospital is authorized by vote of the people.

It shall also be the duty of the County Board of Health of the counties embracing a city or cities of the fourth or fifth class, on or before the first day of April, 1926, and each year thereafter, to contract with the governing authority of such community hospital for the support and maintenance of said hospital and to ascertain and report to the fiscal court of such county, the estimated amount needed for such county hospital purposes for the next year; this annual budget shall be submitted in writing to the county clerk, not less than ten days before the first day of April in each year, by the County Board of Health. And the county clerk shall present this annual budget to the fiscal court when it convenes to make the annual county levy. When this annual budget has been submitted to the fiscal court, it shall be the duty of the fiscal court to provide sufficient funds to pay said budget, by the levy and collection of a tax, of not exceeding five cents on the one hundred dollars, as a contribution for the county hospital purposes, and for the payment of the budget recommended and demanded by the County Board of Health as herein provided, and the same shall not be appropriated or used for any other purpose, during the life of the contract herein provided for. And when said funds are collected by the county treasurer, he shall pay the same over to the treasurer or governing authorities of said hospital."

§ 2. Whereas certain hospitals constructed by donations or endowment funds in counties having cities of the fourth class are not receiving sufficient funds from patients and donations to maintain such hospitals and there is danger of closing such hospitals and leaving the counties without hospital facilities, an emergency is declared to exist and this Act shall become a law upon its passage and approval by the Governor.

Senator Rogers moved that the Senate recede from its action on amendment offered to said bill on February 17.

Said amendment reads as follows:

Amend Senate Bill 336 by adding at end of Section 1 of

printed bill the following: Section 1-A. Provided, that the fiscal court of the county shall have no power or authority to make the levy provided in Section 1 without first submitting said proposed tax to a vote of the people of the county at some regular election, for their approval or disapproval.

The question being taken thereon, it was decided in the negative.

And said amendment was rejected.

Senator Stephenson proposed the following amendment:

Amend Senate Bill 336 by striking out in lines 5, 10 and 16 of Section 1, also line 2, Section 2, the following words: "city or cities of the fourth or fifth" and substituting the following: "cities of the second."

Senator Stephenson moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Ragan moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Silas Jacobs	Dr. G. W. Ragan
H. M. Brock	Alex E. Johnson	O. M. Rogers
Edwin C. Dawson	L. C. Littrell	J. M. Rose
Dr. T. J. Edge	Frank I. Lloyd	R. H. Royster
Walter N. Flippin	C.T.McCormick,Sr.	Dr. Lewis Ryans
Chas. G. Franklin	Wm. Mehler	E. D. Stephenson
Perry B. Gaines	E. C. Moore	Fred C. VanHoose
Arch Hamilton	Ray B. Moss	Sewell B. Williams
J. S. W. Holloway	D. C. Naive	W. A. Yates
Robert Humphreys	Marion F. Pogue	Gates F. Young

—30

Resolved that the title thereof be as aforesaid.

Senator Ragan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill of the following title:

S. B. 298. An Act to amend Section 9 of Chapter 64 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1924, entitled, "An Act relating to registration for elections in cities and towns having a population of five thousand inhabitants or more," approved March 21, 1924.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 9 of Chapter 64 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1924, entitled, "An Act relating to registration for elections in towns having a population of five thousand inhabitants or more," approved March 21, 1924, be amended and re-enacted, so that when amended and re-enacted said Section 9 will read as follows:

Section Nine. That registration officers in each election precinct of this Commonwealth shall on the second Monday in September, 1932, proceed to register the qualified voters in each precinct, as provided herein, and such registration officers shall, beginning on the second Monday in September, 1932, and every four years thereafter on said date, sit for two consecutive days between the hours of six (6) A. M. and seven (7) P. M. for the purpose of registering the qualified voters in each precinct as herein provided. Thereafter and each and every year when said officers are not required to sit for two consecutive days, such officers of registration shall sit in each precinct on the second Monday in September between the hours of six (6) A. M. and seven (7) P. M. for the purpose of permitting all qualified voters, who have not previously registered to do so.

§ 2. This Act shall take effect and be in force from and after its passage as provided by law.

Senator Rogers proposed the following amendment to said bill:

Amend Senate Bill 298, printed bill, by inserting immediately after the word "Commonwealth" in the eighth line of page 1, the following, "except in cities of the first class."

Senator Rogers moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Rogers proposed the following amendment to said bill:

Amend Senate Bill 298 by adding the following words at the end of line 19, page 2, of the printed bill: "Provided, however, that the provisions of this Act shall not apply to municipalities of the third and fourth class."

Senator Rogers moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Rogers moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Walter N. Flippin	Silas Jacobs
W. W. Booles	Chas. G. Franklin	Alex E. Johnson
H. M. Brock	Perry B. Gaines	L. C. Littrell
Edwin C. Dawson	Arch Hamilton	Frank I. Lloyd
Dr. T. J. Edge	J. S. W. Holloway	C.T.McCormick,Sr.
Thos. C. Ferguson	Robert Humphreys	Wm. Mehler

H. C. Moore	J. M. Rose	Thos. O. Turner
Ray B. Moss	R. H. Royster	Sewell B. Williams
D. C. Naive	Dr. Lewis Ryans	W. A. Yates
Marion F. Pogue	E. D. Stephenson	Gates F. Young
O. M. Rogers	Joe Stewart	—32

Those who voted in the negative were:

Fred C. VanHoose —1

Resolved that the title thereof be as aforesaid.

Senator Rogers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill entitled:

S. B. 296. An Act to amend and re-enact Section 1893a-12, Kentucky Statutes, which is an Act providing for relief for the blind so that said section when amended and re-enacted will read as follows:

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That before any person shall be entitled to the benefits of this act, such persons must have resided in the State of Kentucky not less than ten years and in the county of his residence not less than five years next before the application for relief is made. Such needy blind persons may thereafter file his or her application for relief in the office of the County Court Clerk, together with an affidavit sworn to by two reputable land owners in which the applicant is a resident in support of the facts contained in the application. The said

County Court Clerk shall thereafter refer the applicant to the County Health Officer who shall diligently examine the eyes of the applicant and if said applicant is found totally blind, he shall report the facts of the case to the County Judge. If it is found that the applicant is totally blind and otherwise eligible according to the provisions of this Act, if determined by the County Judge, such Judge shall thereafter order the name of the applicant to be placed upon the list of the needy blind of the county.

The Committee on Courts and Legal Procedure proposed the following amendment to said bill by the way of a substitute therefor:

S. B. 296. An Act to amend and re-enact Section 1893a-12, Kentucky Statutes, Carroll's 1930 Edition, relating to the relief of the blind.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That Section 1893a-12, Carroll's Kentucky Statutes, 1930 Edition, be amended and re-enacted so that when so amended and re-enacted, it shall read as follows:

That before any person shall be entitled to the benefits of this act, such persons must have resided in the State of Kentucky not less than ten years and in the county of his residence not less than five years next before the application for relief is made. Such needy blind persons may thereafter file his or her application for relief in the office of the County Court Clerk, together with an affidavit sworn to by two reputable land owners in which the applicant is a resident in support of the facts contained in the application. The said County Court Clerk shall thereafter refer the applicant to the County Health Officer who shall diligently examine the eyes of the applicant and if said applicant is found totally blind, he shall report the facts of the case to the County Judge. If it is found that the applicant is totally blind and

otherwise eligible according to the provisions of this act, if determined by the County Judge, such Judge shall thereafter order the name of the applicant to be placed upon the list of the needy blind of the county.

Senator McCormick moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative and

Said amendment was adopted.

Senator Rose proposed the following amendment to said bill:

Amend S. B. 296 by inserting after the words "County Health Officer," the words "Any licensed physician appointed by the County Judge."

Senator Rose moved the adoption of said amendment.

The question being taken thereon, was decided in the affirmative.

Said amendment was adopted.

Senator Hamilton proposed the following amendment to said bill:

Amend Senate Bill 296 by striking out of line 11 the words "totally blind" and inserting therein the words "is blind to the extent that he or she is totally incapacitated for self support."

Senator Hamilton moved the adoption of said amendment.

The question being taken thereon was decided in the affirmative and

Said amendment was adopted.

Ordered that said bill be read the third time.

Senator McCormick moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays, being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	O. M. Rogers
H. M. Brock	Silas Jacobs	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	C.T.McCormick,Sr.	Dr. Lewis Ryans
Walter N. Flippin	Wm. Mehler	Joe Stewart
Perry B. Gaines	E. C. Moore	Thos. O. Turner
Arch Hamilton	Ray B. Moss	Fred C. VanHoose
J. S. W. Holloway	D. C. Naive	Sewell B. Williams
Robert Humphreys	Dr. G. W. Ragan	W. A. Yates

—27

Resolved that the title thereof be as aforesaid.

Senator McCormick moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a resolution which originated in the Senate of the following title:

HOUSE RESOLUTION 44

Resolution making October 11 of each year "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

Said resolution reads as follows:

Whereas, the 11th day of October, 1779, is the date in American history of the heroic death of Brigadier General Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Georgia; and

Whereas, the States of Indiana, Wisconsin, Michigan, Ohio, Arkansas, Missouri, West Virginia, Tennessee, Texas, Delaware, Pennsylvania, New York, Minnesota, Maryland, Illinois, New Hampshire, Nebraska, and other states of the Union have by legislative enactment designated October 11 of each year to be "General Pulaski's Memorial Day" and

Whereas, it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the death of this great American hero of the Revolutionary War: Therefore

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Governor of the State of Kentucky is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11 of each year and inviting the people of the State of Kentucky to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

Ordered that said resolution be read the third time.

Senator Ryans moved that the third reading of said resolution at length be dispensed with and that it be read the third time by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

H. M. Brock	Silas Jacobs	Dr. G. W. Ragan
Dr. T. J. Edge	Alex E. Johnson	O. M. Rogers
Thos. C. Ferguson	Frank I. Lloyd	J. M. Rose
Walter N. Flippin	Wm. Mehler	R. H. Royster
Chas. G. Franklin	E. C. Moore	Dr. Lewis Ryans
Perry B. Gaines	Ray B. Moss	Joe Stewart
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates
Wm. Isaacs		—25

Resolved that the title thereof be as aforesaid.

Senator Ryans moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 19. An Act relating to roads and bridges and establishing as a part of the primary system of State highways a road leading from a point on U. S. Highway 227 where the Elk Ridge and Lusby road intersects same through Lusby to U. S. Highway 25 at or near Corinth in Grant County, Kentucky, and designating the same as State Project —.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways a road leading from a point on U. S. Highway No. 227, about four miles south of Owenton, where the Elk Ridge and Lusby road intersects U. S. Highway No. 227 at Hallam in Owen County, Kentucky; thence via the said Elk Ridge and Lusby road to Lusby; thence through Lusby to and intersecting with U. S. Highway No. 25 at or near Corinth in Grant County, Kentucky, and the said road shall be designated as Project No. —, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of roads.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 33. An Act to establish as part of the primary road system of roads and highways of this Commonwealth a road beginning at State Project No. 55, known as Carrollton-New Castle road at a point known as the William Jenkins farm, and extending in a westerly direction to U. S. Highway No. 42, at a point near the mouth of Daugherty Creek, or from Providence Church in a northwesterly direction to a point intersecting State Project No. 37 at a point near Ewing's Ford.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State highway primary system of highways in this Commonwealth the following road:

Leaving State Project No. 55, known as the Carrollton and New Castle road, at a point near the farm known as the William Jenkins farm, thence in a westerly direction over a road leading to Providence church, thence in a northwesterly direction intersecting U. S. Highway No. 42 at a point near the mouth of Daugherty creek or from Providence church in a southwesterly direction to a point intersecting State Project No. 37 at a point near Ewing's Ford.

It shall be optional with the Highway Department which route will be used.

This route thus established to be designated as Project No. —, and to be entitled to all the benefits and subject to all the laws now and are thereafter enforced with relation to same.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Dr. T. J. Edge	Perry B. Gaines
W. W. Booles	Thos. C. Ferguson	Arch Hamilton
H. M. Brock	Walter N. Flippin	J. S. W. Holloway
Edwin C. Dawson	Chas. G. Franklin	Wm. Isaacs

Silas Jacobs	Ray B. Moss	Dr. Lewis Ryans
L. C. Littrell	D. C. Naive	E. D. Stephenson
Frank I. Lloyd	Marion F. Pogue	Joe Stewart
Rev. C. D. McCaw	Dr. G. W. Ragan	Thos. O. Turner
C.T.McCormick,Sr.	O. M. Rogers	Fred C. VanHoose
Wm. Mehler	J. M. Rose	Sewell B. Williams
E. C. Moore	R. H. Royster	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 42. An Act to establish as a part of the State primary road system a road to be known as Project No. —, to lead from Project No. 19½ at Buckner in Oldham County, Kentucky, by way of Cedar Point, Jack Smoot farm and Barbara Basler farm to connect with Project No. 13 at the Liberty church in Oldham County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Project No. 19½ at Buckner in Oldham County by way of Cedar Point, Jack Smoot farm and Barbara Basler farm to Project No. 13 at Liberty Church in Oldham County, be and the same is hereby designated and established as a part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	H. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 49. An Act relating to roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That beginning at a point on the Paducah and Bardwell road, near the home of Herschel Gholson, about twelve miles from Paducah, and in McCracken County; thence in a westerly direction, connecting with the old U. S. Highway No. 60 near the farm of William Johnson, in Ballard County, be and the same is hereby established and designated as a part of the primary system of State highways of the Commonwealth of Kentucky, to be known as State Primary Road Project No. —.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	H. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 50. An Act to amend and re-enact Chapter 269, page 580 of the Acts of the General Assembly of 1924, which

is Project No. 126, of Section 4356t-5, of Baldwin's Kentucky Statute Service of Carroll's Kentucky Statutes, relating to roads and bridges and establishing a system of primary roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of same.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 269 of the Acts of the General Assembly of 1924, which is Project No. 126, of 4356t-5, of Baldwin's Kentucky Statute Service of Carroll's Kentucky Statutes, relating to roads and bridges and establishing a system of primary roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of same, be amended, and when amended and re-enacted said Project No. 126 will read as follows:

Project No. 126 from Carlisle to Flemingsburg, by way of Myer's Station; thence by way of Pleasant Valley; thence by way of Cowan; thence by way of Elizaville to Flemingsburg; thence from Carlisle by way of the Miller's Station turnpike near the residence of Forrest Dalzell to an intersection with United States Highway No. 68, near the residence of Oscar Johnson on said highway, the distance of said project being about three miles.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 51. An Act to establish a primary road project to be known as Project No. —, to begin at Piqua in Robertson County, and extend to U. S. Highway No. 68, near its junction with State Road No. 61, in Nicholas County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a road leading from Piqua in Robertson County, at said place connecting with State Project No. 48, crossing Licking River at Day's Ferry, via Crayton, Rose Hill, Barterville, and connecting with U. S. Highway No. 68, near its junction with State Project No. 61, in Nicholas County, be and the same is hereby established and designated as a part of the primary system of State highways of the Commonwealth of Kentucky, to be known as State Primary Road Project No. —.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

This motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C. T. McCormick, Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	H. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 86. An Act extending the Garrett Highway from the mouth of Wolf Creek and up Wolf Creek to the Pike and Williamson State Road.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There be a road extended from Garrett Highway and the mouth of Wolf Creek, running up Wolf Creek, via Emily Bridge to the mouth of White Oak, thence up White Oak the nearest and best route which shall be designated by the State highway engineers so as to connect with the Williamson and Pikeville State Highway, same to be known as Project No. —.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 106. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road located in Muhlenberg County, beginning at the city limits of Central City, running in a southerly direction through Stringtown to Rosewood, thence to Project No. 98, near the Muhlenberg and Todd County line.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be added to and established as a part of the primary system of State highways, a road beginning at the city limits of the city of Central City, running in a southern direction through Stringtown, to Rosewood; thence to Project No. 98, near the Muhlenberg and Todd County line, designated in Carroll's Kentucky Statute, said road to be designated as Project No. —.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, of Acts of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Dr. T. J. Edge	Perry B. Gaines
W. W. Booles	Thos. C. Ferguson	Arch Hamilton
H. M. Brock	Walter N. Flippin	J. S. W. Holloway
Edwin C. Dawson	Chas. G. Franklin	Wm. Isaacs

Silas Jacobs	Ray B. Moss	Dr. Lewis Ryans
L. C. Littrell	D. C. Naive	E. D. Stephenson
Frank I. Lloyd	Marion F. Pogue	Joe Stewart
Rev. C. D. McCaw	Dr. G. W. Ragan	Thos. O. Turner
C. T. McCormick, Sr.	O. M. Rogers	Fred C. VanHoose
Wm. Mehler	J. M. Rose	Sewell B. Williams
H. C. Moore	R. H. Royster	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 124. An Act relating to Roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby added to the State primary system of roads, a road running from near Snodgrass store on the Morgantown and Brownville road in Butler County, Kentucky, to Caneyville, in Grayson County, Kentucky, via Lee, via Decker, via Reedy.

§ 2. This road shall be known as Project No. —.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said

bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C. T. McCormick, Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 138. An Act to add to the primary road system of the State.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

To add to the primary system a road from Richard Shivel farm on Highway 168 to Eubank on Highway 27, the nearest and most practical route, via Webb's Store, Ottawa Post Office, W. G. Brown's Store, Willailla Post Office and Bandy Post Office.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Chas. G. Franklin	Frank I. Lloyd
W. W. Booles	Perry B. Gaines	Rev. C. D. McCaw
H. M. Brock	Arch Hamilton	C.T.McCormick,Sr.
Edwin C. Dawson	J. S. W. Holloway	Wm. Mehler
Dr. T. J. Edge	Wm. Isaacs	E. C. Moore
Thos. C. Ferguson	Silas Jacobs	Ray B. Moss
Walter N. Flippin	L. C. Littrell	D. C. Naive

Marion F. Pogue	R. H. Royster	Thos. O. Turner
Dr. G. W. Ragan	Dr. Lewis Ryans	Fred C. VanHoose
O. M. Rogers	E. D. Stephenson	Sewell B. Williams
J. M. Rose	Joe Stewart	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 139. An Act establishing as a part of the system of State highways, a road from Letcher Gap to Cold Spring, etc.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following, to wit:

Beginning at the intersection of the Mountain Trail road with U. S. Highway No. 123 near Letcher Gap on Pine Mountain in Letcher County, thence to Saddle Gap, thence to High Point, thence to Cold Spring, and from Saddle Gap via Pfenning's Lane to its intersection with State Highway. Said road to be known as Project No. —, and said project shall receive and be entitled to all the benefits allowed and provided for in Chapter 17 of the Acts of the General Assembly, establishing and creating a system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of

the Day a bill which originated in the House of the following title:

H. B. 159. An Act to establish a road and make part of the State primary system, a road from Windyville in Edmonson County to connect with the State highway near Honaker's Ferry in Warren County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established and made a part of the State primary system of roads, a road beginning at Windyville in Edmonson County and running via Asphalt, Davis' Ferry and Glenmore and connecting with the State highway near Honaker's Ferry in Warren County. Said road shall have the same construction and maintenance as other roads on the primary system of roads and be designated as Project No. —.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 169. An Act creating and establishing as a part of the Primary system of State highways of the Commonwealth of Kentucky a road leading from Harrodsburg in the County of Mercer to Sparrow in the County of Anderson, to be known and designated as Project No. —.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the Primary System of Highways of the Common-

wealth of Kentucky a road known as the old Bloomfield road running from Harrodsburg through Mercer and Washington Counties and a part of Nelson and Anderson Counties to Sparrow in the County of Anderson, intersecting the Taylorsville and Bloomfield highway, and reducing the distance from Harrodsburg to Louisville about sixty-one miles, to be known and designated as Project No. —.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 191. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road from Thurlow, Green County, by way of Pierce, Crailhope to Three Springs, Hart County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road from Thurlow, Green County, at the Greensburg-Edmonton road, by way of Pierce and Crailhope to Three Springs at the Horse Cave-Sulphur well road in Hart County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill

at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Robert Humphreys	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	Alex E. Johnson	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 203. An Act relating to roads and to establish as a part of primary highway system a road from North Grassy, in Magoffin county via Hindman, Kentucky, to a point on Project No. 15, near Cody, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a road beginning on project number 28, at or near the mouth of Grassy Creek, a tributary of Licking River, in Magoffin County, and then running up Licking River and the Gardner-Bailey fork thereof to Salt Lick Gap, via Lick Branch, Yellow Mountain, Mills Branch of Balls Fork of Troublesome Creek, Stewarts Branch to top of the ridge and down Owens Branch to point of intersection with State route No. 80, and project No. 28, and thence to Hindman, Kentucky, over Route No. 80; thence up right hand fork of Troublesome Creek and to continue on the most feasable route to a point on State Route No. 15, near Cody, Knott County, Kentucky, be and the same is established as a part of the primary road system of the Commonwealth of Kentucky.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 213. An Act to add to the State primary system of roads the route from Denniston, Menifee County, Kentucky, by way of Pomeroyton in Menifee county, Kentucky, to a point on the Kentucky-Virginia Highway about three miles east of Campton in Wolfe County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby added to the primary system of roads of the Commonwealth of Kentucky the route from Deniston on Kentucky State Highway No. 40, in Menifee County, Kentucky, through Pomeroyton in Menifee County, Kentucky, to a point on the Kentucky-Virginia Highway about three miles east of Campton in Wolfe County, Kentucky.

This act shall take effect according to the provisions of the Constitution of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 214. An Act to add to the primary system of roads of the Commonwealth of Kentucky the route from Frenchburg in Menifee County Kentucky, down Beaver Creek through Scranton, Menifee County, Kentucky to the Mouth of said Beaver Creek at Licking River in Menifee County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby added to the primary system of roads of the Commonwealth of Kentucky the route from Frenchburg, Menifee county, Kentucky, down Beaver creek through Scranton, Menifee county, Kentucky, to the mouth of said Beaver creek at Licking river in Menifee county, Ken tucky.

This act shall take effect according to the provisions of the Constitution of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 222. An Act relating to roads and highways and establishing a road beginning at Old Cedar Baptist Church

near Monterey on road project FA221 and known as the Owenton-Monterey-Frankfort road and running southeast via Truesville, Tacketts Mill, Owen County, Elmville, Franklin County and intersecting with project U. S. 227 about one mile north of Stamping Ground Kentucky in Scott County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and it is hereby established as a part of the primary system of the State highway, a road beginning at Old Cedar Baptist Church in the Owenton-Monterey-Frankfort road, designated FA 221 and running a southeast direction via Truesville, Tacketts Mill, Owen county, Elmville, Franklin county, to the State road known as project U. S. 227 about one mile north of Stamping Ground. Said road being approximately 10 miles long and the same should be designated as road project No. —.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 228. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from the Corporation limits of Scottsville, Kentucky, to the Tennessee State line, known now as the Hartsville Road, which passes Shady Grove School House and Farm of H. C. Dobbs.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the

primary system of State Highways of the Commonwealth of Kentucky, a road leading from the Corporation limits of Scottsville, Kentucky, to the Tennessee State line, known now as the Hartsville Road, which passes Shady Grove School house and farm of H. C. Dobbs.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17, of the Acts of the General Assembly of 1920, establishing and creating primary system of State Highways to the same effect, as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Chas. G. Franklin	Frank I. Lloyd
W. W. Booles	Perry B. Gaines	Rev. C. D. McCaw
H. M. Brock	Arch Hamilton	C.T.McCormick,Sr.
Edwin C. Dawson	J. S. W. Holloway	Wm. Mehler
Dr. T. J. Edge	Wm. Isaacs	E. C. Moore
Thos. C. Ferguson	Silas Jacobs	Ray B. Moss
Walter N. Flippin	L. C. Littrell	D. C. Naive

Marion F. Pogue	R. H. Royster	Thos. O. Turner
Dr. G. W. Ragan	Dr. Lewis Ryans	Fred C. VanHoose
O. M. Rogers	E. D. Stephenson	Sewell B. Williams
J. M. Rose	Joe Stewart	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 229. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from the corporation limits of Scottsville, Kentucky to Brown's Ford Bridge, via Maynard, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road leading from the corporation limits of Scottsville, Kentucky, by Brown's Ford Bridge, via Maynard, Kentucky, to Fountain Run and Scottsville Road.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to and controlled by a provision of Chapter 17, of the Acts of the General Assembly of 1920, establishing and creating primary system of State Highways to the same effect, as if said road had been named

in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 230. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from Fitzpatricks Store, two miles southeast of Scottsville, on the Scottsville and Holland Pike, in Allen County, to the Tennessee State line, via Lucy A. Bradley Farm and Mt. Union Church.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road leading from Fitzpatrick's Store, two miles Southeast of Scottsville, Kentucky, on the Scottsville and Holland Pike, in Allen County, to the Tennessee State line, via the Lucy A. Bradley Farm and Mount Union Church.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways to the same effect, as if said road had been named in the original Acts as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 235. An Act establishing State Highway Project No. 235.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and now is established as one of the primary road projects of the Commonwealth of Kentucky the following, to-wit: Beginning at the intersection of the Graves Lane Road, in Daviess County, with the Owensboro and Yelvington rock road following the Graves Lane Road to the Barker Road at the Spice Knob school lot, following the Barker Road, crossing Pup Creek at the iron bridge on said rock road by way of Bethlehem Church and school house, by the Town of Scythia-Longview Schoolhouse, by the Town of Gatewood; also, schoolhouse and church in Hancock County, by way of Utility and following said road to Federal Highway No. 60, in or near Hawesville, Kentucky.

Said project shall be known as Road Project No. —, and such project shall receive and be entitled to all the benefits allowed and provided for in Chapter 17, of the Acts of the General Assembly, 1920, establishing and creating a primary system of State highways the same as though said road has been named in said original Act as one of the projects of said Primary System of State Highways.

The Highway Commission is hereby directed to assign to the above road an appropriate project number.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 237. An Act to establish as a part of the primary system of State highways of the Commonwealth of Kentucky, a road commencing at the Richmond and McKee State Highway No. 21, running down Red Lick to Station Camp Creek, in Estill County, Kentucky, to the State Highway project No. 83.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road commencing at the Richmond and McKee State Highway, No. 21, near Bighill, running down Red Lick to Station Camp Creek in Estill County to the State Highway Project No. 83, running from Irvine to McKee, Kentucky, a distance of approximately twelve miles.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a Primary System of State Highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Dr. T. J. Edge
W. W. Booles	Edwin C. Dawson	Thos. C. Ferguson

Walter N. Flippin	Rev. C. D. McCaw	J. M. Rose
Chas. G. Franklin	C.T.McCormick,Sr.	R. H. Royster
Perry B. Gaines	Wm. Mehler	Dr. Lewis Ryans
Arch Hamilton	E. C. Moore	E. D. Stephenson
J. S. W. Holloway	Ray B. Moss	Joe Stewart
Wm. Isaacs	D. C. Naive	Thos. O. Turner
Silas Jacobs	Marion F. Pogue	Fred C. VanHoose
L. C. Littrell	Dr. G. W. Ragan	Sewell B. Williams
Frank I. Lloyd	O. M. Rogers	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 240. An Act establishing the road commencing at Gest, Henry County via Sandripple through LeCompt's Bottom by the Mouth of Flat Creek to intersect No. 37 at a point near Bald Knob High School, in Franklin County as part of the State Highway System.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established the road commencing at Gest, Henry County via Sandripple through LeCompte's Bottom by mouth of Flat Creek to intersect Number 37 in Franklin County at a point near Bald Knob High School as a part of the State Highway system.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 242. An Act to establish a new State primary road project, to be known as project No. —, beginning at Corydon on U. S. Highway No. 60, in Henderson County, Kentucky, and known as the Upper Corydon Road, and extending in a northwestern direction to Smith's Mill, in Henderson County, Kentucky, a distance of approximately 4½ miles.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from U. S. Highway No. 60, at Corydon, Henderson County, Kentucky, and known as Upper Corydon Road, extending in a northwestern direction to Smith's Mill, approximately 4½ miles in length, be and the same is hereby established and designated as a part of the primary road system of State Highways of the Commonwealth of Kentucky, to be known as State Primary Road Project No. —.

§ 2. The construction, maintenance supervision and control of said road shall be subject to all the terms, and conditions, as set out and provided in Section 17 of the Acts of the General Assembly of 1920, and the amendments thereto, establishing and creating a primary system of highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 247. An Act relating to roads and highways and establishing a road beginning at the Georgetown, Stamping Ground and Owenton road known as project U. S. 227 at the place where the turnpike leading from New to Fairbanks, Kentucky, crosses said Owenton, Stamping Ground and

Georgetown road in Owen County in running eastward to Fairbanks, crossing Caney Creek and intersecting with the Lees Mill and New Columbus pike at the Hunter residence, thence to Natlee, New Columbus and Corinth, intersecting with the Dixie Highway at Corinth, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and a road is hereby established as part of the primary system of the State highway of Kentucky beginning at U. S. 227 where the pike leading from New to Fairbanks crosses it, thence eastward to Fairbanks crossing Caney creek intersecting with the Natlee and New Columbus road at the Hunter residence, thence to Natlee, New Columbus and intersecting with the Dixie highway at Corinth, Kentucky, Said road being approximately 10 miles long and the same shall be designated as road project No. —.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C. T. McCormick, Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 255. An Act establishing road leading from Flippin to Jeffery to or near Mud Lick.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following:

A road beginning at Flippin and running by and with or

near the road to Jeffery and thence with or near the road to Mud Lick, or near Mud Lick.

§ 2. Said project thus established as part of the primary roads of this Commonwealth shall be entitled to all privileges, benefits and conditions now given by any Act or Law to the primary roads of this Commonwealth.

This road to be known and designated as Road Project No. —.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 263. An Act relating to roads and highways provided for making a part of the primary road system of the Commonwealth of Kentucky a project running from the Highway near West Fort Church in Calloway County, Kentucky, north via Kirksey, north intersecting highway in Marshall County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there shall be now established a part of the primary road system of the Commonwealth of Kentucky the following to be designated as project No. —, running from Highway near West Fork Church in Calloway County, Kentucky, via Kirksy intersecting the highway in Marshall County, Kentucky. The said project shall be a part of the primary system of highways and be entitled to all the benefits and subject to all the laws now or that may hereafter be enacted with relation to same and be added to the projects established by the Acts of the General Assembly of 1920, 1922, 1924, 1926, 1928 and 1930.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill

at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 264. An Act establishing as a part of the primary system of State highways a road running from the intersection of the Carrollton and Eagle Turnpike with project 59 of the primary system of State highways near Gap Hill in Carroll County, Kentucky to Wheatley, Kentucky via Easterday, Kentucky and Eagle Station, Kentucky, and designating said road as project 59C.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from the intersection of the Carrollton and Eagle turnpike with project No. 59 of the primary system of State highways near Gap Hill in Carroll County, Kentucky, to Wheatley in Owen County, Kentucky, and Eagle Station, Kentucky.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out in Chapter No. 17 of the Acts of the General Assembly of 1920 and all the amendments thereto, the same as though said road had been named in said original act as one of the projects of the primary system of State highways.

§ 3. Said road shall be designated and named as project No. 59C of the primary system of State highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 265. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road running from Worthville to Sanders in Carroll County, Kentucky and designated said road as project 59D.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky a road leading from State project No. 59 in Worthville, Kentucky, to State project No. 13A in Sanders, Kentucky.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out in Chapter No. 17 of the Acts of the General Assembly of 1920 and all the amendments thereto, the same as though said road had been named in said original act as one of the projects of the primary system of State highways.

§ 3. Said road shall be designated and named as Project No. 59D of the primary system of State highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Dr. T. J. Edge
W. W. Booles	Edwin C. Dawson	Thos. C. Ferguson

Walter N. Flippin	Rev. C. D. McCaw	J. M. Rose
Chas. G. Franklin	C.T.McCormick,Sr.	R. H. Royster
Perry B. Gaines	Wm. Mehler	Dr. Lewis Ryans
Arch Hamilton	E. C. Moore	E. D. Stephenson
J. S. W. Holloway	Ray B. Moss	Joe Stewart
Wm. Isaacs	D. C. Naive	Thos. O. Turner
Silas Jacobs	Marion F. Pogue	Fred C. VanHoose
L. C. Littrell	Dr. G. W. Ragan	Sewell B. Williams
Frank I. Lloyd	O. M. Rogers	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 274. An Act to establish a primary road project from the mouth of Emily Creek in Martin County thence up Emily Creek to the Mouth of Copers Mine thence up Copers Mine and across the hill to Lick Branch to the Pike County line on the waters of Big Creek.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the Primary System of State highways of the Commonwealth of Kentucky a road beginning at the Mouth of Emily Creek, thence running up Emily Creek to the mouth of Copers Mine, thence up Copers Mine and across the hill to the Lick Branch to the Pike County line on the waters of Big Creek.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 282. An Act establishing a State primary road Project — from Benton, in Marshall County, to Bardwell, in Carlisle County to by way of Boaz and Lowes in Graves County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That State Primary Road Project — be and the same is hereby established from Benton, Marshall County, Kentucky, to Bardwell, in Carlisle County, by way of Boaz and Lowes, in Graves County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920, establishing and requiring a primary system of State Highways, to the same effect as if the said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 283. An Act to amend Kentucky Statutes Section 4356t-5, which is an act designating and establishing primary State roads, by adding thereto project No. — in road running from Simpsonville and Chestnut Grove, in Shelby County Kentucky, and running by way of Todds Point and Floydsburg and connecting with State Highway 22 at Crestwood, in Oldham County, Kentucky.

Said bill reads as follows.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5 be and the same is amended by adding thereto Project No. —, to road as follows:

Project No. —. Beginning at a point in road running from Simpsonville and Chestnut Grove, in Shelby County, Kentucky, and running by way of Todds Point and Floydsburg and connecting with State Highway No. 22 at Crestwood, in Oldham County, Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Perry B. Gaines	C.T.McCormick,Sr.
W. W. Booles	Arch Hamilton	Wm. Mehler
H. M. Brock	J. S. W. Holloway	E. C. Moore
Edwin C. Dawson	Wm. Isaacs	Ray B. Moss
Dr. T. J. Edge	Silas Jacobs	D. C. Naive
Thos. C. Ferguson	L. C. Littrell	Marion F. Pogue
Walter N. Flippin	Frank I. Lloyd	Dr. G. W. Ragan
Chas. G. Franklin	Rev. C. D. McCaw	O. M. Rogers

J. M. Rose	E. D. Stephenson	Fred C. VanHoose
R. H. Royster	Joe Stewart	Sewell B. Williams
Dr. Lewis Ryans	Thos. O. Turner	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 286. An Act to establish a primary Road project from the end of West 12th Street at the city limits, to Barren River Church, connecting with State project No. 410.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State Highways of the Commonwealth of Kentucky a road beginning at the city limits of Bowling Green at the end of West 12th Street, thence in a northwesterly direction to Barren River church, following the general route of the Glenn Lilly road, connecting with State Project Number 410.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920 as amended, to have same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C. T. McCormick, Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 287. An Act establishing as a part of the primary system of State highways a road to be known as project No. —, beginning at a point on Highway No. 71, at Hadley, Warren County, Kentucky, by way of Ebenezer Church and Cave Hill to Richelieu, Logan County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road to be known as Project No. —, beginning at a point in Highway No. 71 at Hadley, Warren County, Kentucky, and running in a westward direction via F. W. Cohen's store and Ebenezer Church where it intersects the old Greenville road, thence southward on Greenville road to Cave Hill, thence a westwardly direction to Richelieu, Logan County, Kentucky.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 289. An Act relating to roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from the Dixie Highway at the Baptist Church at Crittenden, Grant County, and running thence in a general westwardly direction by way of what is now known as the R. P. Hughes farm and thence to Verona, Boone County, intersecting with the Walton & Gallatin County Project No. —.

Said road being approximately four and one-half miles in length.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Edwin C. Dawson	Walter N. Flippin
W. W. Booles	Dr. T. J. Edge	Chas. G. Franklin
H. M. Brock	Thos. C. Ferguson	Perry B. Gaines

Arch Hamilton	Wm. Mehler	R. H. Royster
J. S. W. Holloway	E. C. Moore	Dr. Lewis Ryans
Wm. Isaacs	Ray B. Moss	E. D. Stephenson
Silas Jacobs	D. C. Naive	Joe Stewart
L. C. Littrell	Marion F. Pogue	Thos. O. Turner
Frank I. Lloyd	Dr. G. W. Ragan	Fred C. VanHoose
Rev. C. D. McCaw	O. M. Rogers	Sewell B. Williams
C.T.McCormick,Sr.	J. M. Rose	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 290. An Act to establish as a part of the primary road system of the State highways of the Commonwealth of Kentucky a road leading from Falmouth, Pendleton County, Kentucky, on U. S. Highway No. 27 by the way of Cordova to intersect U. S. Highway No. 25, at Corinth, Grant County, Kentucky, and designating same as Project No. —.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as a part of the primary road system of the Commonwealth of Kentucky a road from Falmouth, Pendleton County, Kentucky, on U. S. Highway No. 27 to run by the way of Morgan in Pendleton County, Kentucky, Cordova in Grant County, Kentucky, and

to intersect with U. S. Highway No. 25 at Corinth in Grant County, Kentucky, and said road shall be run so as to touch the points herein designated.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary road system of highways.

Same shall be designated as Project No. —.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Arch Hamilton	E. C. Moore
W. W. Booles	J. S. W. Holloway	Ray B. Moss
H. M. Brock	Wm. Isaacs	D. C. Naive
Edwin C. Dawson	Silas Jacobs	Marion F. Pogue
Dr. T. J. Edge	L. C. Littrell	Dr. G. W. Ragan
Thos. C. Ferguson	Frank I. Lloyd	O. M. Rogers
Walter N. Flippin	Rev. C. D. McCaw	J. M. Rose
Chas. G. Franklin	C.T.McCormick,Sr.	R. H. Royster
Perry B. Gaines	Wm. Mehler	Dr. Lewis Ryans

E. D. Stephenson	Thos. O. Turner	Sewell B. Williams
Joe Stewart	Fred C. VanHoose	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 299. An Act to establish as part of the State primary road system a road to be known as Project No. —, starting on Highway No. 81 at Calhoun, by the Poverty and Mt. Vernon Church near Lemore, connecting at Wrightsburg.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road starting on Highway No. 81, at Calhoun, by the Poverty and Mt. Vernon Church near Lemore, connecting at Wrightsburg, in McLean County, Kentucky, be and the same is hereby designated and established as part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 301. An Act creating and establishing as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from Willisburg, Washington County, Kentucky, and continuing via Polin, Mt. Zion, and Sutherland's Mill, to Chaplin, Nelson County, Kentucky, to be known and designated as Project No. —.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Willisburg, Washington County, and continuing via Polin, Mt. Zion and Sutherland's Mill, to Chaplin, Nelson County, Kentucky, to be known and designated as Project No. —.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 302. An Act to amend Kentucky Statutes, Section 4356t-5, which is an Act designating and establishing primary State roads by adding thereto Project No. —, described as beginning at a point in U. S. Highway No. 42 and running to Wises Landing.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5, be and the same is amended by adding thereto Project No. —, to read as follows:

Project No. —, beginning at a point on U. S. Highway No. 42, near Bedford, Trimble County, Kentucky, thence to Wises Landing, over the most practical and direct route to be determined by the Highway Commission.

All Acts and parts of Acts in conflict herewith to extent of said conflict are hereby repealed.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 303. An Act to amend Kentucky Statutes, Section 4356t-5, which is an Act designating and establishing primary State roads, by adding thereto Project No. —, described as beginning at a point in U. S. Highway No. 42, near Abbott's Store, thence in a northwesterly direction to Hickory Grove Church, thence westerly by the farm of T. S. Kidwell to Patton's Creek, thence westerly by Covington Church to a point in State Highway No. —, near Westport, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5, be and the same is amended by adding thereto Project No. —, to read as follows:

Project No. —, beginning at a point on U. S. Highway No. 42, near Abbott's Store, and running in a northwesterly direction to Hickory Grove Church, thence westerly by the farm of T. S. Kidwell, on Kidwell's Branch to Patton's Creek, thence westerly by Covington Church to a point in State Highway No. —, near Westport, Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of

the Day a bill which originated in the House of the following title:

H. B. 304. An Act to amend Kentucky Statutes, Section 4356t-5, which is an Act designating and establishing primary State roads, by adding thereto Project No. —, described as beginning at a point in U. S. Highway No. 42, near the intersection of the Westport county road, and running with said county road by the farms of "Pard" Bowling, Richard Hamblen, and W. C. Kelley, to the town of Westport, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5, be and the same is amended by adding thereto Project No. —, to read as follows:

Project No. —, beginning at a point in U. S. Highway No. 42 near the intersection of the Westport county road, thence in a northerly direction with said county road, by the farms of "Pard" Bowling, Richard Hamblen, and W. C. Kelley, to the town of Westport, Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 305. An Act to amend Kentucky Statutes, Section 4356t-5, which is an Act designating and establishing primary State roads by adding thereto Project No. —, beginning at a point in State Road No. 37 near Humphrey Givіden's in Trimble County, and running over county road known as Webb and Foree road, intersecting State Road No. 63, in the town of Sulphur, Henry County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5, be and the same is amended by adding thereto Project No. —, to read as follows:

Project No. —, beginning at a point in State Highway No. 37, near Humphrey Gividen's thence over county road known as Webb and Foree road, intersecting State Road No. 63, at the town of Sulphur, Henry County, Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Arch Hamilton	E. C. Moore
W. W. Booles	J. S. W. Holloway	Ray B. Moss
H. M. Brock	Wm. Isaacs	D. C. Naive
Edwin C. Dawson	Silas Jacobs	Marion F. Pogue
Dr. T. J. Edge	L. C. Littrell	Dr. G. W. Ragan
Thos. C. Ferguson	Frank I. Lloyd	O. M. Rogers
Walter N. Flippin	Rev. C. D. McCaw	J. M. Rose
Chas. G. Franklin	C.T.McCormick,Sr.	R. H. Royster
Perry B. Gaines	Wm. Mehler	Dr. Lewis Ryans

E. D. Stephenson	Thos. O. Turner	Sewell B. Williams
Joe Stewart	Fred C. VanHoose	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 306. An Act to establish a primary road project to be known as Project No. —, beginning where the steel bridge crosses Watts Creek in Whitley County, Kentucky, at a point in the State Road No. 25-W, two miles north of Williamsburg, via Gold Bug to Youngs Creek Post Office and connecting with the Corbin and Cumberland Falls Road.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary road system of the Commonwealth of Kentucky, a road known as Project No. —, beginning where the steel bridge crosses Watts Creek in Whitley County, Kentucky, at a point in the State Road No. 25-W, two miles north of Williamsburg, via Gold Bug to Youngs Creek Post Office and connecting with the Corbin and Cumberland Falls Road.

The said road to have and receive all the benefits of the State primary road as set out in the Act of 1920.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 308. An Act to establish as a part of the State primary road system a road to be known as Project No. —, to lead from a point on Highway No. 60, at or near Nick Mill's farm in Meade County, Kentucky; thence in a westerly direction to or near Jim King's farm; thence to Arnold School House and intersecting primary State road at Frymire, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from a point on Highway No. 60, at or near Nick Mill's farm, in Meade County, Kentucky; thence in a westerly direction to or near Jim King's farm; thence to Arnold School House and intersecting primary road at Frymire, Kentucky, be and the same is hereby designated and established as a part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 309. An Act to establish as a part of the State primary road system a road to be known as Project No. —, to lead from primary State road near Ekron where Hill Grove Road intersects primary State road, thence to Aldrich Shacklett's farm and thence to Hill Grove School and Church; thence to Big Spring intersecting Lincoln Highway route by way of Meadeville and Hall School House, in Meade County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from primary State road near Ekron where Hill Grove road intersects primary State road; thence to Aldrich Shacklett's farm and thence to Hill Grove School and Church; thence to Big Spring intersecting Lincoln Highway route by way of Meadeville and Hall School House, in Meade County, Kentucky, be and the same is hereby designated and established as a part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C. T. McCormick, Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 315. An Act to establish as a part of the primary road system of the State highways a road from near the mouth of Abner Fork of Beaver Creek to the upper end of the town of Weeksberry, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road beginning on the Haymond Highway near the mouth

of Abner Fork of Left Beaver Creek, Floyd County, and thence running up the said Beaver Creek to the upper end of the town of Weeksberry.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

§ 3. All Acts and parts of Acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Chas. G. Franklin	Frank I. Lloyd
W. W. Booles	Perry B. Gaines	Rev. C. D. McCaw
H. M. Brock	Arch Hamilton	C. T. McCormick, Sr.
Edwin C. Dawson	J. S. W. Holloway	Wm. Mehler
Dr. T. J. Edge	Wm. Isaacs	E. C. Moore
Thos. C. Ferguson	Silas Jacobs	Ray B. Moss
Walter N. Flippin	L. C. Littrell	D. C. Naive

Marion F. Pogue	R. H. Royster	Thos. O. Turner
Dr. G. W. Ragan	Dr. Lewis Ryans	Fred C. VanHoose
O. M. Rogers	E. D. Stephenson	Sewell B. Williams
J. M. Rose	Joe Stewart	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 327. An Act creating and establishing as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road extending the "Doctor Thomas Walker Memorial Highway" from the present terminus of said highway, via Indian Creek to connect in Knox County with the road leading from Dishman Springs to Williamsburg.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky a road extending the "DOCTOR WALKER MEMORIAL HIGHWAY;" said extension beginning at the present terminus of said highway near the "DOCTOR THOMAS WALKER MEMORIAL PARK," a State park, on Cumberland River in Knox County, Kentucky; thence extending said highway to Indian Creek; thence up

Indian Creek so as to intersect in Knox County with the road leading from Dishman Springs to Williamsburg.

§ 2. The construction, maintenance, supervision and control of said highway shall be subject to and controlled by all the terms and conditions set out and provided in Chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of roads and highways, the same as though said highway had been named in said original Act as one of the projects of said primary system of highways of the Commonwealth of Kentucky; and provided further, that the road herein and hereby created and established shall be subject to the terms and conditions set forth in Chapter 335 of the Acts of the General Assembly of 1930.

§ 3. The State Highway Commission of Kentucky is directed to assign to said "Dr. Thomas Walker Memorial Highway" an appropriate number.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Dr. T. J. Edge
W. W. Booles	Edwin C. Dawson	Thos. C. Ferguson

Walter N. Flippin	Rev. C. D. McCaw	J. M. Rose
Chas. G. Franklin	C.T.McCormick,Sr.	R. H. Royster
Perry B. Gaines	Wm. Mehler	Dr. Lewis Ryans
Arch Hamilton	E. C. Moore	E. D. Stephenson
J. S. W. Holloway	Ray B. Moss	Joe Stewart
Wm. Isaacs	D. C. Naive	Thos. O. Turner
Silas Jacobs	Marion F. Pogue	Fred C. VanHoose
L. C. Littrell	Dr. G. W. Ragan	Sewell B. Williams
Frank I. Lloyd	O. M. Rogers	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 328. An Act creating and establishing as a part of the State primary system of roads and highways, a road project leading from Corbin, Knox County, Kentucky, via Wilton to the highway leading from Barbourville to Williamsburg, in Knox County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road leading from Corbin, Knox County, Kentucky, so as to intersect with the highway leading from Barbourville to Williamsburg, in Knox County.

Said road to begin at Hamblin Street at the city limits of Corbin, Knox County; thence by the way of Moore Hill School and Liberty School to the Wilton road; thence through Wilton, so as to intersect the highway leading from Barbourville to Williamsburg, in Knox County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of roads, the same as though said road had been named in said original Act as one of the projects of said primary system of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Chas. G. Franklin	Frank I. Lloyd
W. W. Booles	Perry B. Gaines	Rev. C. D. McCaw
H. M. Brock	Arch Hamilton	C. T. McCormick, Sr.
Edwin C. Dawson	J. S. W. Holloway	Wm. Mehler
Dr. T. J. Edge	Wm. Isaacs	E. C. Moore
Thos. C. Ferguson	Silas Jacobs	Ray B. Moss
Walter N. Flippin	L. C. Littrell	D. C. Naive

Marion F. Pogue	R. H. Royster	Thos. O. Turner
Dr. G. W. Ragan	Dr. Lewis Ryans	Fred C. VanHoose
O. M. Rogers	E. D. Stephenson	Sewell B. Williams
J. M. Rose	Joe Stewart	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 329. An Act creating and establishing as a part of the State primary system of roads and highways a road project, beginning at Fount and leading to the road fork of Stinking Creek, in Knox County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Fount, Knox County, thence up Hammond's Fork to Shop Branch Gap; thence down Bell's Fork to the Road Fork of Stinking Creek, in Knox County, Kentucky.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to all the terms set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, creating and establishing a primary system

of roads, the same as if said road had been named in said original act as one of the projects of said primary system of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill

was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 330. An Act creating and establishing as a part of the State primary system of roads and highways a road project leading from U. S. Highway No. 25, at Evergreen, Ky., near Flat Lick, and running through Old Flat Lick, in Knox County, Kentucky, and thence to the mouth of Moore's Creek and up Moore's Creek to the Bell County line.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning on U. S. Highway No. 25 at Evergreen, Ky., near Flat Lick, Ky.; thence to Old Flat Lick, Ky.; thence up Stinking Creek to the mouth of Moore's Creek; thence up Moore's Creek to the Bell County line.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to the terms provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of roads and highways, the same as though said road had been named in said original act as one of the projects of said primary system of highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of

the Day a bill which originated in the House of the following title:

H. B. 349. An Act to establish a primary road project from a point in the Glenn Lilly road to a point on State Highway No. 71, near George Jefferson's property.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at a point in the Glenn Lilly road at or near the top of Briggs' Hill, running thence in a southernly direction to a point on State Highway No. 71 near George Jefferson's property.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Section 17 of the Acts of the General Assembly of 1920 as amended, to have same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 350. An Act relating to roads and bridges and establishing as a part of the primary system of Kentucky a road leading from a point where the Binghamtown Cut Off intersects with U. S. Highway No. 25-E, to a point in Middlesboro, Ky., where Fitzpatrick Avenue intersects with Cumberland Avenue.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the State highways a road leading from a point at the intersection of U. S. Highway No. 25-E and the Binghamtown Cut Off in the northern part of Middlesboro, Bell County, Kentucky, thence in a southernly direction along the Binghamtown Cut Off and 25th Street to a point where 25th Street intersects with Cumberland Avenue; thence east along Cumberland Avenue to a point where Fitzpatrick Avenue intersects with Cumberland Avenue; and said road shall be designated as No. 25-E, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relations to the primary system of roads.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Thos. C. Ferguson	J. S. W. Holloway
W. W. Booles	Walter N. Flippin	Wm. Isaacs
H. M. Brock	Chas. G. Franklin	Silas Jacobs
Edwin C. Dawson	Perry B. Gaines	L. C. Littrell
Dr. T. J. Edge	Arch Hamilton	Frank I. Lloyd

Rev. C. D. McCaw	Marion F. Pogue	E. D. Stephenson
C.T.McCormick,Sr.	Dr. G. W. Ragan	Joe Stewart
Wm. Mehler	O. M. Rogers	Thos. O. Turner
E. C. Moore	J. M. Rose	Fred C. VanHoose
Ray B. Moss	R. H. Royster	Sewell B. Williams
D. C. Naive	Dr. Lewis Ryans	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 351. An Act establishing a road project from corporation limits of Scottsville, Ky., along present traveled road by Gainsville, Meador, across Osborne Ford on Barren River, by Kepler, Warren County, intersection Bowling Green and Glasgow road at Kirby farm.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky, the following route: Beginning at the end of North Court Street at the north corporate limits of Scottsville, Ky.; thence with the present travelled road from said point to Gainsville, Ky., in Allen County; thence with the present travelled road from Gainsville, Ky., to Meador, Ky.; thence to Osborne Ford on ferry, on Barren River, crossing Barren River to in-

tersect with a road leading by Three Forks Schoolhouse; thence by Kepler, in Warren County, Kentucky, to where it intersects the Bowling Green and Glasgow road, at Kirby farm. Said road project to be known as the Scottsville-Mammoth Cave Highway.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to and under the provisions and controlled by the Act of the General Assembly as amended relating to roads and highways of the Acts of 1920, being Chapter 17 of said acts.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 352. An Act relating to roads and bridges and establishing as a part of the primary system of the State highways a road leading from a point where 20th Street intersects with Cumberland Avenue in Middlesboro, Bell County, Kentucky, to a point on U. S. Highway No. 25-E.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of the State highways a road leading from a point at the intersection of 20th Street and Cumberland Avenue in Middlesboro, Bell County, Kentucky, to a point on U. S. Highway No. 25-E by way of Fern Lake and Bartlett Park, and same being about two miles in length; and said road shall be designated as Project No. — and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relations to the primary system of roads.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 365. An Act to be placed on the State road pri-

mary system a road from Biever-Bend Filling Station to Red-Hill Schoolhouse in Rockcastle County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be placed on the State road primary system a road from Biever-Bend Filling Station to Red-Hill Schoolhouse in Rockcastle County.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 366. An Act to add to the State primary system of roads a road from Highway No. 168 near James Bullock's residence at Maretburg to Bromo Post Office by J. D. Noe farm in Rockcastle County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the State primary road system a road from Highway No. 168 near James Bullock's residence at Maretburg to Bromo Post Office by J. D. Noe farm in Rockcastle County.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 367. An Act to be placed on the State primary system of roads, a road from Livingston the nearest, and most practical route to the Devoult Schoolhouse on Skaggs Creek in Rockcastle County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be placed on the State road primary system a road from Livingston the nearest and most practical route to the Devoult Schoolhouse on Skaggs Creek in Rockcastle County.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill

was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 368. An Act creating Road Project —, beginning at Blackey, Letcher County, Kentucky, and extending via Carcassonne Community Center, to State Highway 15.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road beginning at Blackey, Letcher County, Kentucky, and extending up Elk Creek, via Bull Creek, Carcassonne Community Center, and down Montgomery Creek to State Highway No. 15, be and the same is hereby established and designated as a part of the primary system of State highways of the Commonwealth of Kentucky and known as Project No. —.

The construction, maintenance and supervision of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the 1920 General Assembly, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 371. An Act establishing as a part of the State primary road system, a road leading from Danville and Lebanon Highway No. 168 and 68 to Penick Station in Marion County, a distance of approximately one-half mile.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the State system of roads and highways, a road leading from Danville and Lebanon Highway No. 168 and 68 to Penick Station in Marion County, a distance of approximately one-half mile.

§ 2. The said road to receive all the benefits of a State highway set out in the Acts of 1920 creating a State system of roads and highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Walter N. Flippin	Silas Jacobs
W. W. Booles	Chas. G. Franklin	L. C. Littrell
H. M. Brock	Perry B. Gaines	Frank I. Lloyd
Edwin C. Dawson	Arch Hamilton	Rev. C. D. McCaw
Dr. T. J. Edge	J. S. W. Holloway	C.T.McCormick,Sr.
Thos. C. Ferguson	Wm. Isaacs	Wm. Mehler

E. C. Moore	O. M. Rogers	Joe Stewart
Ray B. Moss	J. M. Rose	Thos. O. Turner
D. C. Naive	R. H. Royster	Fred C. VanHoose
Marion F. Pogue	Dr. Lewis Ryans	Sewell B. Williams
Dr. G. W. Ragan	E. D. Stephenson	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 376. An Act establishing as a State primary road in Allen County a road beginning at Dalton's Store on the Scottsville and Lafayette Road and running to Amos, via Doddy to Log Creek at the Asbury Napier Ford.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and hereby is established as one of the primary road projects of the Commonwealth of Kentucky as follows, to-wit:

Beginning at Dalton's Store on the Scottsville and La-Fayette Road, and running to Amos via Doddy to Long Creek at the Asbury Napier Ford.

Said project shall receive all the benefits allowed and provided for in Chapter 17 of the Acts of the General As-

sembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 377. An Act establishing as a State primary road in Allen County, Kentucky, on the Holland and Lafayette Pike, and extending to the Monroe County line, via the farms of Ralph Johnson, Henry Bandy, Burt Lee and Leo White.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and hereby is established as one of the primary road projects of the Commonwealth of Kentucky as follows, to-wit:

Beginning at Luther Stewarts in Allen County, Kentucky, on the Holland and Lafayette Pike, and extending to the Monroe County line via the farms of Ralph Johnson, Henry Bandy, Burt Lee and Leo White.

Said project shall receive all the benefits allowed and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 379. An Act establishing as part of the primary system of the State highways, a road leading from Milltown, Ky., via Portland and Pickett in Adair County, to Mell, Ky., in Green County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Milltown, thence to Portland, thence to Pickett, in Adair County, thence to Mell, in Green County, Kentucky.

§ 2. The construction, supervision and maintenance of said road shall be that provided for in Chapter 17 of the Acts of the General Assembly of 1920.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Walter N. Flippin	Silas Jacobs
W. W. Booles	Chas. G. Franklin	L. C. Littrell
H. M. Brock	Perry B. Gaines	Frank I. Lloyd
Edwin C. Dawson	Arch Hamilton	Rev. C. D. McCaw
Dr. T. J. Edge	J. S. W. Holloway	C.T.McCormick,Sr.
Thos. C. Ferguson	Wm. Isaacs	Wm. Mehler

E. C. Moore	O. M. Rogers	Joe Stewart
Ray B. Moss	J. M. Rose	Thos. O. Turner
D. C. Naive	R. H. Royster	Fred C. VanHoose
Marion F. Pogue	Dr. Lewis Ryans	Sewell B. Williams
Dr. G. W. Ragan	E. D. Stephenson	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 380. An Act establishing as part of the primary system of the State highways, a road project leading from Milltown, Ky., to the Columbia and Edmonton road at or near Union Church in Adair County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary road system of roads and highways of the Commonwealth of Kentucky, a road beginning at Milltown, Ky., thence to Milltown Church, thence to Columbia and Edmonton road, at or near Union Church in Adair County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be the same as provided for in Chapter 17 of the Acts of the General Assembly of 1920.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C. T. McCormick, Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 381. An Act establishing as part of the primary system of the State highways, a road leading from State Project 1-25-255, at or near Hobson in Taylor County to connect with State Project 41½ at most available point.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established a road as a part of the primary system of highways of the Commonwealth of Kentucky, beginning at or near Hobson in Taylor County on Project 1-25-255, thence via Saloma; thence to Durham to connect with State Project 41½ at most available point.

§ 2. The construction, maintenance and control of said road shall be the same as provided for in Chapter 17 of the Acts of the General Assembly of 1920.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 382. An Act establishing as part of the primary system of the State highways, a road project leading from Columbia and Edmonton road at or near Bliss, Ky,. to Columbia and Greensburg road at or near James Grisson farm in Adair County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Columbia and Edmonton road near Bliss, Ky.; thence to Prices Chapel Church; thence to Columbia and Greensburg road at or near the farm of James Grisson in Adair County.

§ 2. The construction, maintenance, and control of said road shall be the same as provided for in Chapter 17 of the Acts of the General Assembly of 1920.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C. T. McCormick, Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	H. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 383. An Act establishing as part of the primary system of the State highways, a road leading from Campbellsville to Spurlington, in Taylor County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is now established as one of the primary road projects of Kentucky, a road beginning at Campbellsville, Taylor County, thence to Spurlington.

§ 2. Said road to be known as Project No. —, and said project shall remain and be entitled to all the benefits allowed and provided for in Chapter 17 of the Acts of the General Assembly of 1920.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 384. An Act relating to the primary system of roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State highway primary system of highways in this Commonwealth the following route, to-wit:

Highway leading from Hillsboro to the intersection of the Flemingsburg and Morehead highway one mile southeast of Fleming and Rowan County line; via Ringos Mills, in Fleming County and Sharkey, in Rowan County.

This route when established to be designated as project No. —, and to be entitled to and to receive all the benefits with relations to the primary system under the laws of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Perry B. Gaines	C.T.McCormick,Sr.
W. W. Booles	Arch Hamilton	Wm. Mehler
H. M. Brock	J. S. W. Holloway	E. C. Moore
Edwin C. Dawson	Wm. Isaacs	Ray B. Moss
Dr. T. J. Edge	Silas Jacobs	D. C. Naive
Thos. C. Ferguson	L. C. Littrell	Marion F. Pogue
Walter N. Flippin	Frank I. Lloyd	Dr. G. W. Ragan
Chas. G. Franklin	Rev. C. D. McCaw	O. M. Rogers

J. M. Rose	E. D. Stephenson	Fred C. VanHoose
R. H. Royster	Joe Stewart	Sewell B. Williams
Dr. Lewis Ryans	Thos. O. Turner	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 385. An Act relating to the primary system of roads and highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State highway primary system of highways in this Commonwealth the following route, to-wit:

From the City of Flemingsburg, Fleming County, at the Christian church on State highway No. 11 and following as near as practicable the old Fox Spring turnpike via Wallingsford; thence by Browning's orchard near Park Lake to the Lewis County line at the head waters of Kinniconnick creek to Petersville, Lewis County, connecting with the State highway survey to the City of Vanceburg, Kentucky.

The route so established to be designated as project No. — and to be entitled to and receive all the benefits of such

laws as are now or may hereafter be in effect with relations to the primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 386. An Act relating to the primary system of roads and Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State highway primary system of highways in this Commonwealth the following route, to-wit:

Beginning at the Flemingsburg & Morehead State highway near Plummers Landing; thence through Plummers Landing, via Muses Mills, continuing up East fork of Fox creek to the mouth of Sugar Tree run; thence up said branch to the Lewis County line at the head of Sargent branch to the waters of Kinniconnick; thence with said creek to Petersville, Lewis County, Kentucky.

This route when established to be designated as project No. — and to be entitled to and receive all the benefits relating to the primary system.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C. T. McCormick, Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 388. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at the Allen and Warren County line on the upper Scottsville and Bowling Green road and extending to Noes' Store on the Scottsville and Gainsville road and passing by Britts' Mill and Settle, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at the Allen and Warren County line on the upper Scottsville and Bowling Green road and extending to Noes' Store on the Scottsville and Gainsville road and passing by Britts' Mill and Settle, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17, of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways to the same effect, as if said road had been named in the original act as one of the projects of the primary system of State highways as provided herein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 398. An Act creating and establishing as a part of the State primary system of road and highways a road project, beginning at Buckhorn, a city on the Middle Fork of the Kentucky River, thence, up the same, so as to intersect with Project 80 at Hyden, the County seat of Leslie.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the

Commonwealth of Kentucky, a road beginning at Buckhorn, a city on the middle fork of the Kentucky River; thence, up the same so as to the intersect with project 80, a Hyden, the county seat of Leslie.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to the terms provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of roads and highways, the same as though said road had been named in said original act as one of the projects of said primary system of highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Perry B. Gaines	C.T.McCormick,Sr.
W. W. Booles	Arch Hamilton	Wm. Mehler
H. M. Brock	J. S. W. Holloway	E. C. Moore
Edwin C. Dawson	Wm. Isaacs	Ray B. Moss
Dr. T. J. Edge	Silas Jacobs	D. C. Naive
Thos. C. Ferguson	L. C. Littrell	Marion F. Pogue
Walter N. Flippin	Frank I. Lloyd	Dr. G. W. Ragan
Chas. G. Franklin	Rev. C. D. McCaw	O. M. Rogers

J. M. Rose	E. D. Stephenson	Fred C. VanHoose
R. H. Royster	Joe Stewart	Sewell B. Williams
Dr. Lewis Ryans	Thos. O. Turner	W. A. Yates

— 33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 399. An Act creating and establishing as a part of the State primary system of road and highways a road project, beginning at Pineville, Kentucky, thence, up the right Fork of Straight Creek and down the Middle Fork of the Kentucky River so as to intersect at a point on the Harlan-Hyden Highways.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of roads and highways of the Commonwealth of Kentucky a road, beginning at Pineville, Kentucky, thence, up the right fork of Straight Creek and down the middle fork of the Kentucky River. So as to intersect at a point on the Harlan-Hyden Highway.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to the terms provided for in Chapter 17 of the Acts of the General Assembly of 1920, es-

tablishing a primary system of roads and highways, the same as though said road had been named in said original act as one of the projects of said primary system of highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 401. An Act establishing as a part of the highway system of State roads, a road, leading from Whitesburg, Kentucky, to Linefork Creek to intersect with road project —.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is hereby established as a part of the primary system of State roads and highways in the Commonwealth of Kentucky, to-wit:

Beginning at Whitesburg, Letcher County, Kentucky, thence with the North Fork of the Kentucky River, to the mouth of Big Cowan Creek, thence up and with said Big Cowan Creek, to Kings Creek, thence, with the meanders of Dry Fork Creek, to Line Fork Creek, and intersect with State Road Project No. —.

Said project shall be entitled to all the privileges, benefits, and conditions now given by any act to any of the primary roads in this Commonwealth.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C. T. McCormick, Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 402. An Act to amend Kentucky Statutes, Section 4356t-5, which is an act designating primary State roads, by adding thereto project No. — described as beginning at a point in Road 22, in Crestwood, Oldham County, Kentucky, thence by the way of Lake Louisvilla over right of way, to road in Jefferson County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Kentucky Statutes, Section 4356t-5, be and the same is amended by adding thereto Project No. —, to read as follows:

Project No. —. Beginning at a point in Road No. 22, in Crestwood, Oldham County, Kentucky, thence running by the way of Lake Louisvilla, over new right-of-way to road in Jefferson County, Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Chas. G. Franklin	Frank I. Lloyd
W. W. Booles	Perry B. Gaines	Rev. C. D. McCaw
H. M. Brock	Arch Hamilton	C.T.McCormick,Sr.
Edwin C. Dawson	J. S. W. Holloway	Wm. Mehler
Dr. T. J. Edge	Wm. Isaacs	E. C. Moore
Thos. C. Ferguson	Silas Jacobs	Ray B. Moss
Walter N. Flippin	L. C. Littrell	D. C. Naive

Marion F. Pogue	R. H. Royster	Thos. O. Turner
Dr. G. W. Ragan	Dr. Lewis Ryans	Fred C. VanHoose
O. M. Rogers	E. D. Stephenson	Sewell B. Williams
J. M. Rose	Joe Stewart	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 404. An Act to establish as a part of the primary system of the State highways of the Commonwealth of Kentucky a road from Summersville by way of Gabe, Gardner's Mill, and Quisenberry Chapel, Green County to the Jackson Highway near Lynnwood, Hart county, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road running from Summersville, Kentucky, by way of Gabe, Gardner's Mill and Quisenberry Chapel, Green County, to the Jackson Highway near Lynnwood, Hart County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of

the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 408. An Act to add to the primary system of roads a road from Nelsons Store to Green Mount Post Office in Laurel, County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the primary road system a road from Nelson's store to Green Mount Post Office in Laurel county.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Dr. T. J. Edge
W. W. Booles	Edwin C. Dawson	Thos. C. Ferguson

Walter N. Flippin	Rev. C. D. McCaw	J. M. Rose
Chas. G. Franklin	C.T.McCormick,Sr.	R. H. Royster
Perry B. Gaines	Wm. Mehler	Dr. Lewis Ryans
Arch Hamilton	E. C. Moore	E. D. Stephenson
J. S. W. Holloway	Ray B. Moss	Joe Stewart
Wm. Isaacs	D. C. Naive	Thos. O. Turner
Silas Jacobs	Marion F. Pogue	Fred C. VanHoose
L. C. Littrell	Dr. G. W. Ragan	Sewell B. Williams
Frank I. Lloyd	O. M. Rogers	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 411. An Act to establish as a part of the primary system of State Highways a road from the Sandy Hook and Louisa road near the J. L. Hulett farm in Lawrence County the Mayo Trail on George's Creek.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following: A road beginning on the Sandy Hook and Louisa road near J. L. Hulett's farm in Lawrence County, thence up Brushy Creek to near Wilbur Post Office, thence to the head of the right fork of Little Blain, thence to Charley, Kentucky, thence down George's Creek to intersect the Mayo Trail.

Said project thus established as a part of the primary roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any Act or law to the primary roads of this Commonwealth.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill

was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 412. An Act to establish as part of the primary road system of roads and highways of this Commonwealth, a road beginning at the farm of Mike Noe on the Lancaster-Richmond road and extending in a southerly direction, passing the sight of "Uncle Tom's Cabin," thence by the store of Sam Hurt and to the Lancaster-Crab Orchard road, at or near the bridge over Dix River.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as part of the State highway primary system of highways in this Commonwealth the following road: Leaving the Lancaster-Richmond road at the farm of Mike Noe, and running in a southerly direction, passing the sight of "Uncle Tom's Cabin," Sam Hurt's store; thence to a point on Lancaster-Crab Orchard road at the Dix River bridge.

This route thus established to be known as "Uncle Tom's Cabin Trail," and be entitled to all the benefits and subject to all the laws now and are thereafter inforced with relation to same.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 415. An Act establishing as a part of the primary system of the State highways a road beginning at Cynthiana,

Harrison County, Kentucky, via White Oak, Selma, Fairview, Hinton, to a point on Dixie Highway near Stonewall in Scott County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State Highway of the Commonwealth of Kentucky a road beginning at Cynthiana, Harrison County, thence via White Oak, Selma, Fairview, and Hinton to a point on the Dixie Highway near Stonewall in Scott County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920 as amended, to same effect as if said road had been named in the original Act as one project of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 416. An Act establishing as a part of the primary system of State highways a road beginning at a point on State Project 58A at Broadwell, Harrison County, thence via Jacksonville and Centerville to Lexington, Fayette County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State Highway of the Commonwealth of Ken-

tucky a road beginning at a point on State Project No. 58a at Broadwell, Harrison County, thence via Jacksonville and Centerville to Lexington, Fayette County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920 as amended to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 420. An Act to add to the primary system of roads in Rockcastle County from the entrance of the Dughill road into Highway 138 to Bishops Store.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the primary road system in Rockcastle County a road from the entrance of the Dughill road into highway No. 138 by the French farm, thence with Negro Creek to Bishop's store.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 424. An Act establishing as a part of the primary system of State highways a road beginning at George Reeves Farm in McLean County, Kentucky, thence near Oak Grove Church via Buel, intersecting with route 71 at Flat Buck Creek Church.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning near George Reeves' Farm, in McLean County, Kentucky; thence near Oak Grove Church via Buel, intersecting with Route 71 at Flat Buck Creek Church.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highway as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Perry B. Gaines	C.T.McCormick,Sr.
W. W. Booles	Arch Hamilton	Wm. Mehler
H. M. Brock	J. S. W. Holloway	H. C. Moore
Edwin C. Dawson	Wm. Isaacs	Ray B. Moss
Dr. T. J. Edge	Silas Jacobs	D. C. Naive
Thos. C. Ferguson	L. C. Littrell	Marion F. Pogue
Walter N. Flippin	Frank I. Lloyd	Dr. G. W. Ragan
Chas. G. Franklin	Rev. C. D. McCaw	O. M. Rogers

J. M. Rose	E. D. Stephenson	Fred C. VanHoose
R. H. Royster	Joe Stewart	Sewell B. Williams
Dr. Lewis Ryans	Thos. O. Turner	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 435. An Act to establish as part of the State primary road system a road to be known as project No. — Providence road near Charleston, Hopkins County by way of Union Grove, Evans Mill, White School to a point on Dawson Springs-Princeton Road, approximately three miles from Dawson Springs.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road starting on the Dawson Springs-Providence Road near Charleston, Hopkins County by way of Union Grove, Evans Mill, White School to a point on Dawson Springs-Princeton road approximately three miles from Dawson Springs, be and the same is hereby designated and established as part of the primary system of State Highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and con-

trol of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill

was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 436. An Act to establish as part of the State primary road system a road to be known as Project No. —, starting on Highway No. 91 between Crider and Baker's Station via Charlene connecting with Fairview Church on Ollie James Highway.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road starting on Highway No. 91 between Crider and Baker's Station by Charlene connecting at Fairview Church in Lyon county, Kentucky, be and the same is hereby designated and established as part of the primary system of State Highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 437. An Act to establish as part of the State primary road system a road to be known as project No. —, beginning at a point on the Princeton and Cadiz road known as Hopson Store in Caldwell County and extending thence to Wallonia, Trigg County, a distance of about five miles.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road beginning at a point on the Princeton and Cadiz road known as Hopson Store in Caldwell county and extending thence to Wallonia, Trigg county, a distance of about five miles, be and the same is hereby designated and established as part of the primary system of State highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Dr. T. J. Edge
W. W. Booles	Edwin C. Dawson	Thos. C. Ferguson

Walter N. Flippin	Rev. C. D. McCaw	J. M. Rose
Chas. G. Franklin	C.T.McCormick,Sr.	R. H. Royster
Perry B. Gaines	Wm. Mehler	Dr. Lewis Ryans
Arch Hamilton	E. C. Moore	E. D. Stephenson
J. S. W. Holloway	Ray B. Moss	Joe Stewart
Wm. Isaacs	D. C. Naive	Thos. O. Turner
Silas Jacobs	Marion F. Pogue	Fred C. VanHoose
L. C. Littrell	Dr. G. W. Ragan	Sewell B. Williams
Frank I. Lloyd	O. M. Rogers	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 438. An Act to establish as part of the State primary system of roads a road to be known as project No. —, beginning on Federal Highway 62, at or near the farm known as the Mollie Pettit farm in Caldwell County, Kentucky, extending thence by Silver Star School House to what is known as the Emerson Place, colored, thence intersecting the Cadiz Road near Jim Tandy's place.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road beginning on Federal Highway No. 62, at or near the farm known as the Mollie Pettit farm in Caldwell county extending thence by Silver Star School House

to what is known as the Emerson Place, colored, thence intersecting the Cadiz road near Jim Tandy's place, be and the same is hereby designated and established as part of the primary system of State Highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Perry B. Gaines	C.T.McCormick,Sr.
W. W. Booles	Arch Hamilton	Wm. Mehler
H. M. Brock	J. S. W. Holloway	E. C. Moore
Edwin C. Dawson	Wm. Isaacs	Ray B. Moss
Dr. T. J. Edge	Silas Jacobs	D. C. Naive
Thos. C. Ferguson	L. C. Littrell	Marion F. Pogue
Walter N. Flippin	Frank I. Lloyd	Dr. G. W. Ragan
Chas. G. Franklin	Rev. C. D. McCaw	O. M. Rogers

J. M. Rose	E. D. Stephenson	Fred C. VanHoose
R. H. Royster	Joe Stewart	Sewell B. Williams
Dr. Lewis Ryans	Thos. O. Turner	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 442. An Act to add to the primary system a road from Elba on the State highway No. 54 through the town of Delaware, Niagara to Anthoston to highway No. 41, near Henderson.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road beginning at a point in State Highway number 54 within one mile of the town of Elba in McLean county thence westwardly through the town of Delaware, thence across the Green river at Delaware, thence with the Delaware road in Henderson county through Niagara to Anthoston to the Robards and Henderson road thence to road number 41 near Henderson, be and the same is hereby established and designated as part of the primary system of State Highway of the Commonwealth of Kentucky to be known as the State primary road project number —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and condi-

tions as set out and provided for in page 17, Acts of the General Assembly of 1920 establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C. T. McCormick, Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	H. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 443. An Act establishing as a part of the primary system of State highways a road beginning at a point on State project 21 at Lair, Harrison County, Kentucky, thence via a point on 58A near Lebus Quarry, thence with the Grays Run and Mount Vernon Pike to a point in State project 16 thence via White Oak to a point in State project 229 at Breckinridge, Harrison County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky a road beginning at a point on State Project No. 21 at Lair, Harrison County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the Projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 444. An Act establishing as a part of the primary system of State highways a road beginning at a point on State project 38B in Harrison County, at Tollgate House, thence via Shady Nook, Morning Glory and Salt Well to Carlisle in Nicholas County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky a road beginning at a point in State Project No. 58b in Harrison County at Old Tollgate House thence via Shadynook, Morning Glory and Saltwell to Carlisle in Nicholas county.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highway as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Dr. T. J. Edge
W. W. Booles	Edwin C. Dawson	Thos. C. Ferguson

Walter N. Flippin	Rev. C. D. McCaw	J. M. Rose
Chas. G. Franklin	C.T.McCormick,Sr.	R. H. Royster
Perry B. Gaines	Wm. Mehler	Dr. Lewis Ryans
Arch Hamilton	H. C. Moore	E. D. Stephenson
J. S. W. Holloway	Ray B. Moss	Joe Stewart
Wm. Isaacs	D. C. Naive	Thos. O. Turner
Silas Jacobs	Marion F. Pogue	Fred C. VanHoose
L. C. Littrell	Dr. G. W. Ragan	Sewell B. Williams
Frank I. Lloyd	O. M. Rogers	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 445. An Act establishing as a part of the primary system of State highways a road beginning at a point on the Dixie Highway at Corinth, Grant County, Kentucky, thence via Stringtown, Colmansville, Berry, Kelat, Sunrise, to Oddville, Harrison County.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State Highway of the Commonwealth of Kentucky a road beginning at a point on the Dixie Highway at Corinth, Grant county, Kentucky, thence via Stringtown, Colemansville, Berry, Kelat, Sunrise to a point in State Project No. 58½ at Oddville, Harrison county, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 451. An Act to add to the primary system of State highways a route starting at Jeffersonville, Montgomery County, at Tabors Shop by Marion Martins Farm, thence over Morris Mountain to Cane Creek, thence on to Bowen Station, Powell County, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby added to the primary system of roads of the Commonwealth of Kentucky the route starting at Jeffersonville, in Montgomery County, at Tabor's Shop by Marion Martin Farm; thence over Morris Mountain to Cane Creek; thence on to Bowen Station, in Powell County, Kentucky.

§ 2. This Act shall take effect according to the provisions of the Constitution of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	H. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 453. An Act to establish a primary road project to be known as project No. —, beginning one-fourth mile south of Flippin, Kentucky, at a point known as the Frain Cemetery on Highway 100, via of Deep Ford on Barren River, to Akersville, Kentucky, connecting with Tennessee Highway at Walker Springs.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the Primary Road System of the Commonwealth of Kentucky a road known as Project No. —. Beginning one-fourth mile south of Flippin, Kentucky at a point known as the Frain Cemetery on the Highway No. 100, via Deep Ford on Barren River to Akersville, Kentucky connecting with Tennessee Highway at Walker Springs.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to all the terms and conditions as set out, and provided for in Chapter 17, Acts of General Assembly of 1920, establishing and creating a Primary System of State highways.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	H. M. Brock	Dr. T. J. Edge
W. W. Booles	Edwin C. Dawson	Thos. C. Ferguson

Walter N. Flippin	Rev. C. D. McCaw	J. M. Rose
Chas. G. Franklin	C.T.McCormick,Sr.	R. H. Royster
Perry B. Gaines	Wm. Mehler	Dr. Lewis Ryans
Arch Hamilton	E. C. Moore	E. D. Stephenson
J. S. W. Holloway	Ray B. Moss	Joe Stewart
Wm. Isaacs	D. C. Naive	Thos. O. Turner
Silas Jacobs	Marion F. Pogue	Fred C. VanHoose
L. C. Littrell	Dr. G. W. Ragan	Sewell B. Williams
Frank I. Lloyd	O. M. Rogers	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Senate took up for consideration from the Orders of the Day a bill which originated in the House of the following title:

H. B. 454. An Act to establish a primary road project from Cannel City, Morgan County, Kentucky, via Grassy Creek, Woodsbend and Yocum, to intersect with State highway at Wrigley, Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at Cannel City on State highway; thence in a northwest direction to Nickell; thence north to Grassy Creek; thence north on east side of Grassy Creek to Woodsbend, at or near the J. R. Gibson farm; thence to Dehart;

thence to Yocum Post Office on Pleasant Run Creek; thence to Wrigley, Kentucky, intersecting with State highway.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Section 17 of the Acts of the General Assembly of 1920 as amended; to have the same effect as if said road had been named in the original Act, as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

Senator Dawson moved that the third reading of said bill at length be dispensed with and that it be read by its title only and placed upon its passage.

Said motion was agreed to by a majority of members elected.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were:

Jas. H. Bondurant	Wm. Isaacs	Dr. G. W. Ragan
W. W. Booles	Silas Jacobs	O. M. Rogers
H. M. Brock	L. C. Littrell	J. M. Rose
Edwin C. Dawson	Frank I. Lloyd	R. H. Royster
Dr. T. J. Edge	Rev. C. D. McCaw	Dr. Lewis Ryans
Thos. C. Ferguson	C.T.McCormick,Sr.	E. D. Stephenson
Walter N. Flippin	Wm. Mehler	Joe Stewart
Chas. G. Franklin	E. C. Moore	Thos. O. Turner
Perry B. Gaines	Ray B. Moss	Fred C. VanHoose
Arch Hamilton	D. C. Naive	Sewell B. Williams
J. S. W. Holloway	Marion F. Pogue	W. A. Yates

—33

Resolved that the title thereof be as aforesaid.

Senator Dawson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senator Moss moved that a bill of the following title be called from the Committee on Veterans' Legislation, to which it had been referred (and had been held an unreasonable length of time) and given its first reading:

S. B. 155. An Act to repeal and re-enact Chapter 70 of the Acts of 1930 entitled, "An Act to assist disabled United Spanish War Veterans and their dependents in obtaining from the Federal Government the relief authorized by Acts of Congress, and creating for that purpose a voluntary commission, and providing for its office expenses and salary of secretary," and providing for taking care of other expenses and making appropriation for all of said purposes.

The question being taken thereon, was decided in the negative.

Therefore, said motion was lost, not having received the required two-thirds majority as required by the rules of the Senate.

Senator Ryans moved that the Senate do now adjourn.

Said motion was agreed to.